

Washington, Thursday, May 26, 1960

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Codification Guide

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published in today's issue. A cumulative list of parts affected, covering the current month to date, appears at the end of each issue beginning with the second issue of the month.

Monthly, quarterly, and annual cumulative guides, published separately from the daily issues, include the

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Announcement

CFR SUPPLEMENTS (As of January 1, 1960)

The following Supplements are now available: Title 7, Parts 900–959_____ \$1.50 Title 42 (Revised)_____ \$4.00

Previously announced: Title 3 (\$0.60); Titles 4–5 (\$1.00); Title 7, Parts 1–50 (\$0.45); Parts 51–52 (\$0.45); Parts 53–209 (\$0.40); Parts 210– 399, Revised (\$4.00); Title 8 (\$0.40); Title 9 (\$0.35); Titles 10-13 (\$0.50); Title 18 (\$0.55); Title 19 (\$1.00); Title 20 (\$1.25); Title 21 (\$1.50); Titles 22-23 (\$0.45); Title 24 (\$0.45); Title 25 (\$0.45); Title 26 (1939), Parts 1-79 (\$0.40); Parts 80–169 (\$0.35); Parts 170–182 (\$0.35); Parts 300 to End (\$0.40); Title 26, Part 1 (\$\$ 1.01-1.499) (\$1.75); Parts 1 (\$ 1.500 to End)-19 (\$2.25); Parts 20-169 (\$1.75); Parts 170-221 (\$2.25); Part 300 to End (\$1.25); Titles 28-29 (\$1.75); Titles 30-31 (\$0.50); Title 32, Parts 1-399 (\$2.00); Parts 400-699 (\$2.00); Parts 700-799 (\$1.00); Parts 800-999, Revised (\$3.75); Part 1100 to End (\$0.60); Title 33 (\$1.75); Title 35, Revised (\$3.50); Title 36, Revised (\$3.00); Title 37, Revised (\$3.50); Title 38 (\$1.00); Title 39 (\$1.50); Title 43 (\$1.00); Title 46, Parts 1-145 (\$1.00); Parts 146-149, Revised (\$6.00); Part 150 to End (\$0.65); Title 47, Parts 1-29 (\$1.00); Part 30 to End (\$0.30); Title 49, Parts 1-70 (\$1.75); Parts 71-90 (\$1.00); Parts 91-164 (\$0.45); Part 165 to End (\$1.00); Title 50 (\$0.70).

Order from the Superintendent of Documents. Government Printing Office, Washington 25, D.C.



Published daily, except Sundays, Mondays, and days following official Federal holidays, by the Office of the Federal Register, National Archives and Records Service, General Serv-

by the Office of the Federal Register, National Archives and Records Service, General Servi

order, made payable to the Superintendent of Documents, directly to the Government Printing Office, Washington 25, D.C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended August 5, 1953. The Code of Federal Regulations is sold by the Superin-

tendent of Documents. Prices of books and pocket supplements vary.

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Rules and Regulations

Title 6—AGRICULTURAL **CREDIT**

Chapter IV—Commodity Stabilization Service and Commodity Credit Corporation, Department of Agriculture

SUBCHAPTER B-LOANS, PURCHASES, AND OTHER OPERATIONS

[1960 C.C.C. Grain Price Support Bulletin 1, Supp. 1, Amdt. 1, Wheat]

PART 421-GRAINS AND RELATED COMMODITIES

Subpart—1960-Crop Wheat Loan and **Purchase Agreement Program**

The regulations issued by the Commodity Credit Corporation and the Commodity Stabilization Service published in 25 F.R. 3915 and containing the specific requirements for the 1960-Crop Wheat Price Support Program are hereby amended as follows:

1. Section 421.5043(a)(2)(ii) amended to provide the amount of deduction from the designated terminal market on wheat received by truck so that the amended subdivision reads as follows:

§ 421.5043 Determination of support rates.

- (a) * *
- (2) * * *
- (ii) The support rate for wheat received by truck and stored at any designated terminal market shall be determined by making a deduction of 15.25 cents per bushel from the terminal rate.
- 2. Section 421.5043(a)(3)(ii) is amended to provide the amount of deduction from the designated port terminal market on wheat received by truck so that the amended subdivision reads as follows:

§ 421.5043 Determination of support rates.

- (a) * * *
- (3) * * *
- (ii) Notwithstanding the foregoing provisions of this paragraph, the support rate for wheat received by truck and stored at any of the terminal markets listed in subdivision (i) of this subparagraph shall be determined by making a deduction of 3.25 cents per bushel from the terminal rate, plus the transportation cost, if any, as determined by the appropriate CSS commodity office, for moving the wheat to a tidewater loading facility located within the same switching limits.
- 3. Section 421.5044(a)(1) is amended to provide the storage charges per bushel to be deducted in computing the amount of the loan or purchase price when such charges have not been pre-

paid and in the case of recourse loans the amount of handling charges to be deducted so that the amended subparagraph reads as follows:

§ 421.5044 Warehouse charges.

(a) (1) Warehouse receipts and the wheat represented thereby stored in an approved warehouse operating under the Uniform Grain Storage Agreement may be subject to liens for warehouse handling and storage charges at not to exceed the Uniform Grain Storage Agreement rates from the date the wheat is deposited in the warehouse for storage: Provided, That the warehouseman shall not be entitled to satisfy the lien by sale of the commodity when CCC is holder of the warehouse receipt. Where the date of deposit (the date of the warehouse receipt if the date of deposit is not shown) on warehouse receipts representing wheat stored in warehouses operating under the Uniform Grain Storage Agreement is on or before the applicable nonrecourse loan maturity date, there shall be deducted in computing the amount of the loan or purchase price the storage charges per bushel as shown in the following table unless written evidence has been submitted with the warehouse receipt that all warehouse charges, except receiving and loading out charges, have been prepaid through the applicable nonrecourse loan maturity date to be determined in accordance with § 421.5042.

		
Amount of deduction (cents per bushel)	For States having a maturity date not later than March 31, 1961— Date storage charges start (all dates inclusive)	For States having a maturity date not later than February 28, 1961— Date storage charges start (all dates inclusive)
12	Prior to June 4,	Prior to May 13,
11	June 4-June 24, 1960.	May 13-June 1,
10	June 25-July 18, 1960.	1960. June 2-June 21,
9	July 19-Aug. 14.	1960. June 22-July 14,
8	1960. Aug. 15-Sept. 10, 1960.	1960. July 15-Aug. 10, 1960.
7	Sept. 11-Oct. 7,	Aug. 11-Sept. 6,
6	1960. Oct. 8-Nov. 3, 1960.	1960. Sept. 7-Oct. 3, 1960.
5	Nov. 4-Nov. 30, 1960.	Oct. 4-Oct. 30,
4	Dec. 1-Dec. 27,	1960. Oct. 31-Nov. 26,
3	1960. Dec. 28, 1960-	1960. Nov. 27-Dec. 23,
2	Jan. 23, 1961. Jan. 24-Feb. 19,	1960. Dec. 24, 1960-
1	1961. Feb. 20-Mar. 31,	Jan. 19, 1961. Jan. 20-Feb. 28,

In the case of recourse loans there shall be deducted in determining the support rate, the storage charges per day from the date the storage charges start against holders of the warehouse receipt to the recourse loan maturity date of January 31, 1962, as provided in the Schedule of Rates of the Uniform Grain Storage Agreement in effect when the services

are performed, unless written evidence has been received that such charges have been prepaid. In addition to the provisions contained in § 421.5043 (a) and (b) for determining the support rate, there shall also be deducted on recourse loans 2.5 cents per bushel for wheat received by rail, water or truck, unless written evidence has been received that the receiving and loading-out charges have been prepaid. If the receiving and loading-out charges for truck received wheat have been prepaid, the support rate as determined under § 421.5043 (a) (2) (ii) and (a)(3)(ii) shall be increased 3.25 cents per bushel on recourse loans. For wheat received by truck in approved warehouses where the support rate is not determined under § 421.5043 (a) and (b), there shall also be deducted on recourse loans the amount of the receiving and loading-out charge provided in the Schedule of Rates of the Uniform Grain Storage Agreement in effect when the services are performed, unless written evidence has been received that such receiving and loading-out charges have been prepaid.

(Sec. 4, 62 Stat. 1070, as amended: 15 U.S.C. 714b. Interpret or apply sec. 5, 62 Stat. 1072, secs. 101, 401, 63 Stat. 1051, 1054; Title II, 73 Stat. 178, 15 U.S.C. 714c, 7 U.S.C. 1441,

Issued this 20th day of May 1960.

CLARENCE D. PALMBY. Acting Executive Vice President, Commodity Credit Corporation.

[F.R. Doc. 60-4766; Filed, May 25, 1960; 8:50 a.m.]

[1960 C.C.C. Grain Price Support Bulletin 1, Supp. 1, Amdt. 1, Oats]

PART 421—GRAINS AND RELATED COMMODITIES

Subpart—1960-Crop Oats Loan and **Purchase Agreement Program**

The regulation issued by the Commodity Credit Corporation and the Commodity Stabilization Service published in 25 F.R. 3615, and containing the specific requirements of the 1960-Crop Oats Price Support Program are hereby amended as follows:

Section 421.5284(a) (1) is amended to provide the storage charges per bushel to be deducted in computing the amount of the loan or purchase price when such charges have not been prepaid, and in the case of recourse loans, the amount of handling charges to be deducted so that the amended subparagraph reads as follows:

§ 421.5284 Warehouse charges.

(a) (1) Warehouse receipts and the oats represented thereby stored in approved warehouses operating under the Uniform Grain Storage Agreement may

be subject to liens for warehouse handling and storage charges at not to exceed the Uniform Grain Storage Agreement rates from the date the oats are deposited in the warehouse for storage: Provided, That the warehouseman shall not be entitled to satisfy the lien by sale of the commodity when CCC is holder of the warehouse receipt. Where the date of deposit (the date of the warehouse receipt if the date of deposit is not shown) on warehouse receipts representing oats stored in warehouses operating under the Uniform Grain Storage Agreement is on or before the applicable nonrecourse loan maturity date there shall be deducted in computing the amount of the loan or purchase price the storage charges per bushel as shown in the following table unless written evidence has been submitted with the warehouse receipt that all warehouse charges, except receiving and loading out charges have been prepaid through the applicable nonrecourse loan maturity date to be determined in accordance with § 421.5282.

Amount of deduction (cents per bushel)	For States having a maturity date not later than April 30, 1961— Date the storage charges start (all dates inclusive)	For States having a maturity date not later than Feb- ruary 28, 1961— Date the storage charges start (all dates inclusive)
11	Prior to May 4, 1960.	
10	May 4-June 3, 1960.	
9	June 4-July 6, 1960.	Prior to May 13, 1960.
8	July 7-Aug. 10,	May 13-June 12,
7	Aug. 11-Sept. 14, 1960.	June 13-July 15,
6	Sept. 15-Oct. 19, 1960.	July 16-Aug. 19,
5	Oct. 20-Nov. 23, 1960.	Aug. 20-Sept. 23, 1960.
4	Nov. 24-Dec. 28,	Sept. 24-Oct. 28,
3	1960. Dec. 29, 1960-Feb.	1960. Oct. 29-Dec. 2,
2	1, 1961. Feb. 2-Mar. 8,	1960. Dec. 3, 1960-Jan. 6,
1	1961. Mar. 9-Apr. 30, 1961.	Jan. 7-Feb. 28, 1961.
	i	1

In the case of recourse loans, there shall be deducted the storage charges per day from the date the storage charges start against the holders of the warehouse receipt to the recourse loan maturity date of January 31, 1962, plus receiving and loading-out charges as provided in the Schedule of Rates of the Uniform Grain Storage Agreement in effect when the services are performed unless written evidence has been submitted with the warehouse receipt that such charges have been prepaid.

(Sec. 4, 62 Stat. 1070, as amended; 15 U.S.C. Interpret or apply sec. 5, 62 Stat. 1072, sec. 105, 401, 63 Stat. 1051, as amended, Title II, 73 Stat. 178; 15 U.S.C. 714c; 7 U.S.C. 1421,

Issued this 20th day of May 1960.

CLARENCE D. PALMBY. Acting Executive Vice President. Commodity Credit Corporation.

[F.R. Doc. 60-4765; Filed, May 25, 1960; 8:50 a.m.1

[1960 C.C.C. Grain Price Support Bulletin 1, Supp. 1, Flaxseed]

PART 421—GRAINS AND RELATED COMMODITIES

Subpart—1960-Crop Flaxseed Loan and Purchase Agreement Program

A price support program has been announced for the 1960 crop of flaxseed. 1960 C.C.C. Grain Price Support Bulletin 1 (25 F.R. 2380), issued by the Commodity Credit Corporation and containing the regulations of a general nature with respect to price support operations for grains and certain other commodities produced in 1960 is supplemented as follows:

421.5476 Purpose.

Availability of price support. 421.5477

421.5478 Eligible flaxseed. 421.5479 Warehouse receipts.

421.5480 Determination of quantity. Determinations of quality.

421.5481 421.5482 Maturity of loans.

421.5483 Support rates. 421.5484 Warehouse charges.

421.5485 Inspection of flaxseed under pur-

chase agreements.

421.5486 Settlement.

AUTHORITY: §§ 421.5476 to 421.5486 issued under sec. 4, 62 Stat. 1070, as amended; sec. 5, 62 Stat. 1072; secs. 301, 401, 63 Stat. 1054; Title II, 73 Stat. 178; 15 U.S.C. 714 b and c, 7 U.S.C. 1447, 1421

§ 421.5476 Purpose.

Sections 421.5476 to 421.5486 state additional specific regulations which together with the general regulations contained in the 1960 C.C.C. Grain Price Support Bulletin 1 (§§ 421.5001 to 421.5022), apply to loans and purchase agreements under the 1960-Crop Flaxseed Price Support Program.

§ 421.5477 Availability of price support.

(a) Method of support. Price support will be made available through farm-storage and warehouse-storage loans and through purchase agreements.

(b) Area. Farm-storage and warehouse-storage loans and purchase agreements will be available wherever flaxseed is grown in the United States, except that only direct purchases and recourse warehouse-storage loans will be available in Texas counties designated under the 1960-Texas Flaxseed Purchase Program (§§ 421.4526 to 421.4541 and 421.5526 to 421.5528) and as provided therein. Farm-storage loans will not be available in areas where the State committee determines that flaxseed cannot be safely stored on the farm nor in Texas purchase counties.

(c) Where to apply. Application for price support should be made at the office of the county committee which keeps the farm-program records for the farm.

(d) When to apply. Loans and purchase agreements will be available from the time of harvest through October 31, 1960, in Arizona and California, and from the time of harvest through January 31, 1961, in all other States, except that recourse warehouse-storage loans only will be available in the designated Texas Flaxseed Purchase counties, when applicable, from the date of harvest through July 31, 1960. The applicable documents must be signed by the producer and delivered to the office of the county committee not later than such final dates. Applicable documents include the Producer's Note and Loan Agreement for warehouse-storage loans, the Producer's Note and Supplemental Loan Agreement and the Commodity Chattel Mortgage for farm-storage loans. and the Purchase Agreement for purchase agreements.

§ 421.5478 Eligible flaxseed.

Flaxseed to be eligible for price support, must meet all of the applicable re-. quirements set forth in this section.

(a) The flaxseed must have been produced in the United States in 1960 by an

eligible producer.

- (b) At the time the flaxseed is placed under loan or delivered under a purchase agreement the beneficial interest in the flaxseed must be in the eligible producer tendering the flaxseed for loan or for delivery under a purchase agreement and must always have been in him, or must have been in him and a former producer whom he succeeded before the flaxseed was harvested. Any producer who is in doubt as to whether his interest in the flaxseed complies with the requirements of this subpart should make available to the county committee all pertinent information prior to filing an application, which will permit a determination to be made by CCC as to his eligibility for price support. To meet the requirements of succession to a former producer, the rights, responsibilities and interest of the former producer with respect to the farming unit on which the flaxseed was produced shall have been substantially assumed by the producer claiming succession. Mere purchase of the crop prior to harvest, without acquisition of any additional interest in the farming unit, shall not constitute succession. The county committee shall determine whether the requirements with respect to succession have been met.
- (c) Flaxseed, at the time it is placed under loan and flaxseed under purchase agreement which is in approved warehouse storage prior to notification by a producer of his intention to sell to CCC, must meet the following requirements:
- (1) The flaxseed must grade No. 1 or No. 2.
- (2) The flaxseed must not contain mercurial compounds or other substances poisonous to man or animals.
- (3) If offered as security for a farmstorage loan, the flaxseed must have been stored in the granary at least 30 days prior to its inspection, measurement, sampling and sealing, unless otherwise approved by the State committee.
- (d) Except as otherwise provided in § 421.5485(a), flaxseed under purchase agreement stored in other than approved warehouse storage shall not be eligible for sale to CCC if it does not meet the requirements of paragraph (c) (1) and

(2) of this section on the basis of a predelivery inspection performed by a representative of the county committee, unless the producer complies with the conditions specified in § 421.5485(a) and the flaxseed on the basis of an inspection made at the time of delivery meets the requirements set forth in paragraph (c) (1) and (2) of this section.

§ 421.5479 Warehouse receipts.

Warehouse receipts representing flaxseed in approved warehouse storage to be placed under a warehouse-storage loan or delivered in satisfaction of a farm-storage loan or acquired under a purchase agreement must meet the following requirements of this section:

(a) Warehouse receipts presented for warehouse-storage loans must be issued in the name of the producer and for deliveries under farm-storage loans or purchase agreements, in the name of the producer or CCC, and must be properly endorsed in blank when issued in the name of the producer so as to vest title in the holder. The receipts must be issued by a warehouse for which a Uniform Grain Storage Agreement is in effect and which is approved by CCC for price support purposes, or must be receipts issued on warehouses operated by Eastern common carriers under tariffs approved by the Interstate Commerce Commission for which custodian agreements are in effect.

(b) Each warehouse receipt or the warehouseman's supplemental certificate (in duplicate), properly identified with the warehouse receipt, must show: (1) Gross weight and net bushels, (2) grade, (3) test weight, (4) moisture, (5) dockage, (6) percentage of damage when such factor, and not test weight, determines the grade, and (7) whether the flaxseed arrived by rail, truck or barge. In the case of flaxseed delivered by rail or barge, the grading factors on the warehouse receipt must agree with the inbound inspection certificate for the car or barge if such certificate is issued.

(c) A separate warehouse receipt must be submitted for each grade of flaxseed.

(d) The warehouse receipt may be subject to liens for warehouse charges only to the extent indicated in § 421.5484.

(e) Warehouse receipts representing flaxseed which has been shipped by rail or water from a country shipping point to a designated terminal point, or shipped by rail or water from a country shipping point and stored in transit to a designated terminal point, must be accompanied by registered freight bills, or by a certificate containing similar information. These registered freight bills or certificates must be representative as to origin and date of movement of the flaxseed. The form of these certificates will be prescribed by the CSS commodity office and shall be signed by the warehouseman and may be made a part of the supplemental certificate.

of which the warehouseman is the producer and owner either solely, jointly, or in common with others, the fact of such ownership shall be stated on the receipt. Such receipts shall also be registered or recorded with appropriate

State or local officials when required by State law. In States where the pledge of warehouse receipts by a warehouseman on his own flaxseed is not valid under State law and the warehouseman elects to deliver flaxseed to CCC under a purchase agreement for which he is eligible under this program, the warehouse receipt shall be issued in the name of CCC.

(g) Each warehouse receipt or accompanying supplemental certificate representing flaxseed stored in an approved warehouse operating under the Uniform Grain Storage Agreement shall indicate that the flaxseed is insured in accordance with such Agreement. Each warehouse receipt or accompanying supplemental certificate issued on warehouses operated by Eastern common carriers and representing flaxseed to be placed under loan shall indicate that the flaxseed is insured at the full market value against loss or damage by fire, lightning, inherent explosion, wind storm, cyclone and tornado. The cost of such insurance shall not be for the account of CCC.

§ 421.5480 Determination of quantity.

(a) The quantity of flaxseed placed under farm-storage loan may be determined either by weight or by measurement. The quantity of flaxseed delivered under a farm-storage loan or under a purchase agreement shall be determined by weight. The quantity of flaxseed on which a warehouse-storage loan shall be made and the quantity delivered to or acquired by CCC in approved warehouse under a farm-storage loan or purchase agreement shall be the net weight of the flaxseed represented by the warehouse receipt or on the supplemental certificate, if applicable.

(b) When the quantity is determined by weight, a bushel shall be 56 pounds of flaxseed free of dockage. In determining the quantity of sacked flaxseed by weight, a deduction of three-fourths of a pound for each sack shall be made.

(c) When the quantity of flaxseed is determined by measurement, a bushel shall be 1.25 cubic feet of flaxseed testing 56 pounds per bushel. The quantity determined by measurement of flaxseed having a test weight of less than 56 pounds per bushel shall be adjusted by applying the applicable percentage as shown in the following table: For flaxseed testing:

Percentage 56 pounds or over__. 55 pounds or over, but less than 56 pounds __ 54 pounds or over, but less than 55 pounds _. 53 pounds or over, but less than 54 pounds _____ 52 pounds or over, but less than 53 pounds ... 51 pounds or over, but less than 52 pounds ____. 50 pounds or over, but less than 51 pounds _____ 49 pounds or over, but less than 50 pounds _____ 48 pounds or over, but less than 49 pounds _____ 47 pounds or over, but less than 48 pounds _____

(d) The percentage of dockage shall be determined and the weight of such dockage shall be deducted from the gross

weight of the flaxseed in determining the net quantity available for loan or purchase.

§ 421.5481 Determination of quality.

The grade and grading factors, and all other quality factors shall be determined in accordance with the method set forth in the Official Grain Standards of the United States for flaxseed, whether or not such determinations are made on the basis of an official inspection.

§ 421.5482 Maturity of loans.

Nonrecourse loans mature on demand but not later than January 31, 1961, in Arizona and California, and not later than March 31, 1961, in all other States. Recourse loans mature on October 31, 1961, in Arizona and California, and on January 31, 1962, in all other States except that recourse warehouse-storage loans in designated Texas Flaxseed Purchase counties will mature on July 31, 1961. The maturity date for a loan shall be the maturity date for the State where the flaxseed is stored.

§ 421.5483 Support rates.

Basic support rates for flaxseed placed under loan or delivered under a purchase agreement are set forth in this section.

(a) Support rates at designated terminal markets. (1) The basic support rate for Grade No. 1 flaxseed containing 10.6 to 11.0 percent moisture stored in approved warehouses at the Minneapolis and St. Paul, Minnesota, terminal markets shall be \$2.65 per bushel.

(i) In order to be eligible for loan or purchase at the support rate shown above, the flaxseed must have been shipped on a domestic interstate freight rate basis. The support rate at such designated terminal markets on any flaxseed shipped at other than the domestic interstate freight rate, shall be reduced by the difference between the freight rate paid and the domestic interstate freight rate.

(ii) The support rates established for the Minneapolis and St. Paul, Minnesota terminal markets apply to flaxseed which has been shipped by rail or water from a country shipping point to one of such designated terminal markets, as evidenced by paid freight bills duly registered for transit privileges: Provided, That in the event the amount of paid-in freight is insufficient to guarantee the minimum proportional domestic interstate freight rate, if any, from the terminal market to a recognized market as determined by CCC, there shall be deducted from the applicable terminal support rate the difference between the amount of freight actually paid in and the amount required to be paid in to guarantee outbound movement at the minimum proportional domestic interstate freight rate.

(iii) Notwithstanding the foregoing provisions of this section, the support rate for flaxseed which is shipped by rail or water and stored at either of such designated terminal markets and for which neither registered freight bills nor registered freight certificates are presented shall be equal to the terminal rate minus 14 cents per bushel.

- (iv) The support rate for flaxseed received by truck and stored at either of such designated terminal markets shall be the terminal rate minus 18.5 cents per bushel.
- (2) Basic support rates per bushel for Grade No. 1 flaxseed containing 10.6 to 11.0 percent moisture stored in approved warehouses at the port terminal markets listed below are as follows:

, A	ate
per	bushel
Terminal market: for	No. 1
Los Angeles, Calif	\$2.91
San Francisco, Calif	2.85
Duluth, Minn	2.65
Superior, Wis	2.65
Corpus Christi and Houston, Tex	2.40

- (i) The support rate for flaxseed which is shipped by rail or water and stored at any of such port terminal markets, shall be equal to the applicable terminal rate.
- (ii) The support rate for flaxseed which is received by truck and stored at any of such port terminal markets shall be determined by making a deduction from the terminal rate of 4.5 cents per bushel, plus the transportation cost, if any, as determined by the appropriate CSS commodity office for moving the flaxseed to a tidewater loading facility located within the same switching limits.
- (b) Support rates for flaxseed in approved warehouse-storage at other than designated terminal markets. (1) The support rate for flaxseed which is shipped by rail or water and stored in approved warehouses (other than those situated in the designated terminal markets) shall be determined by deducting from the rate for the appropriate designated terminal market as determined by CCC, an amount equal to the transit balance, if any, of the through-freight rate from point of origin for such flaxseed to such terminal market: Provided, That on any flaxseed shipped at other than the domestic interstate freight rate, the support rate shall be further reduced by the difference between the freight rate paid and the domestic interstate freight rate from the point of origin of such flaxseed to the point of storage: And provided further, That in the case of flaxseed stored at any railroad transit point taking a penalty by reason of out-of-line movement to the appropriate designated market, or for any other reason, there shall be added to such transit balance an amount equal to any out-of-line costs or other costs incurred in storing flaxseed in such position.
- (2) The warehouse receipts must be accompanied by the original paid freight bills or certificates of the warehouseman and other required documents as set forth in § 421.5479.
- (c) Basic county support rates. (1) The following basic county support rates per bushel are established for grade No. 1 flaxseed containing 10.6 to 11.0 percent moisture. Farm-storage loans and country warehouse-storage loans, except as otherwise provided in paragraph (b) of this section, will be based on the support rate established for the county in which the flaxseed is stored.

(2) If two or more approved warehouses are located in the same or adjoining towns, villages, or cities having the same domestic interstate freight rate, such towns, villages, or cities shall be deemed to constitute one shipping point and the same support rate shall apply even though such warehouses are not all located in the same county. Such support rate shall be the highest support rate of the counties involved.

ARIZONA

Rate per	Rate per			
County bushel	County bushel			
Cochise \$2.58	Pinal \$2.66			
Graham 2.52	Yavapai 2.31			
Maricopa 2.66	Yuma 2. 69			
Pima 2.65				
CALIF	ORNIA			
Alameda \$2.70	Napa \$2.70			
Colusa 2.63	Riverside 2.71			
Fresno 2.67	Sacramento 2.67			
Imperial 2.73	San Benito 2.67			
Kern 2.69	San Joaquin 2.68			
Kings 2.69	San Mateo 2.70			
Los Angeles 2.75	Santa Clara 2.70			
Madera 2.65	Santa Cruz 2.67			
Merced 2.66	Sutter 2.64			
Modoc 2.39	Yolo 2.67			
GEO	GEORGIA			
All counties	\$1.78			
IDAHO				
All counties	\$1.81			
Iowa				

Iowa			
Rate per Rate per			
County bushel			shel
Adair	\$2. 29		82.34
Adams	2. 29	Jones	2.35
Allamakee	2.38	Keokuk	2.32
Appanoose	2. 29	Kossuth	2.38
Audubon	2.31	Linn	2, 36
Benton	2.36	Lucas	2.30
Black Hawk	2.36	Lyon	2.36
Boone	2.35	Madison	2.32
Bremer	2.37	Mahaska	2.33
Buchanan	2.36	Marion	2. 32
Buena Vista	2.36	Marshall	2.36
Butler	2.37	Mills	2.30
Calhoun	2.36	Mitchell	2.40
Carroll	2.34	Monona	2.34
Cass	2.29	Monroe	2.30
Cedar	2.34	Montgomery _	2. 29
Cerro Gordo	2.39	O'Brien	2. 37
Cherokee	2.35	Osceola	2.37
Chickasaw	2.38	Page	2. 29
	2.30	Palo Alto	2. 38
Clarke	2.37	Plymouth	2.35
Clay	2.36	Pocahontas	2.36
Clayton	2.33	Polk	2.35
	2.35	Pottawatta-	2.00
Dallas	2. 29	mie	2. 31
Davis	2. 28	Poweshiek	2.34
Decatur	2.36	Ringgold	2. 28
Dickinson	2.38	Sac	2.35
Dubuque	2.35	Shelby	2.33
Emmet	2.39		2.35
Fayette	2.37	Story	2.35
	2.39		2.36
FloydFranklin	2.37		2.27
Fremont	2.30	Taylor	2. 29
	2.35	Union Wapelio	2. 31
Greene	2.36	Warren	2.31
Guthrie	2.34	Wayne	2.32
Hamilton	2.36	Webster	2.37
Hancock	2.38	Winnebago	2.40
Hardin	2.36	Winneshiek	2.38
Harrison	2.33		2.35
Howard	2.33	Woodbury Worth	2. 30
Humboldt	2.37		2. 37
Ida	2.34	WrightAll other	2.01
Iowa	2.34	countles	2. 28
Jasper	2.35	-Onthaco	2. 20
Ambor		=	
	Kan	-	!
All counties			

County			te per ishel
Chippewa			\$2.24
	MINN	ESOTA	
	te per		te per
County by	ıshel \$2.44	County by	ushel \$2.40
Anoka	2.44	Meeker	2.44
Becker Beltrami	2.37 2.37	Mille Lacs Morrison	2. 44 2. 42
Benton	2.43	Mower	2. 41
Big Stone Blue Earth	2.38 2.42	Murray Nicollet	2.39 2.44
Brown	2.42	Nobles	2.37
Carlton	2.45 2.44	Norman Olmsted	2.36 2.42
Cass	2.41	Otter Tail	2.39
Chicago	2.40 2.44	Pennington Pine	2.34 2.43
Chisago Clay	2.37	Pipestone	2.38
Clearwater Cottonwood	2.37 2.40	Polk Pope	2.35 2.41
Crow Wing	2.42	Pope Ramsey	2.44
Dakota	2.44	Red Lake	2.36 2.41
Dodge Douglas	2.42 2.41	Redwood	2.41
Faribault	2.40	Rice	2.44
Fillmore	2.39 2.42	Rock Roseau	2.37 2.33
Goodhue	2.43	St. Louis	2.43
Grant	2.39 2.44	Scott Sherburne	2.44 2.44
Hennepin	2.39	Sibley	2.44
Hubbard	2.38 2.44	Stearns	2.43
Isanti	2.42	Steele Stevens	2. 42 2. 40
Jackson	2.39	Swift	2.41
Kanabec Kandiyohi	2. 43 2. 44	Todd	2.41 2.38
Kittson	2.31	Wabasha	2.43
Koochiching _ Lac qui Parle_	2.33 2.38	Wadena Waseca	2. 41 2. 43
Lake of the		Washington -	2.44
Woods Le Sueur	2.34 2.44	Watonwan Wilkin	2. 41 2. 37
Lincoln	2. 38	Winona	2.42
Lyon	2.39 2.44	Wright Yellow	2.44
McLeod Mahnomen	2.36	Medicine	2.40
Marshall	2.34		
	Mon	TANA	
Beaverhead	\$1.86		\$2.03
Big Horn Blaine	1.99 2.06	McCone Musselshell	2. 15 2. 07
Broadwater	2.03	Park	2.03
Carbon Carter	2.03 2.17	Petroleum Phillips	2.03 2.09
Cascade	2.03	Pondera	2.03
Chouteau Custer	2.03 2.15	Powder River_ Prairie	2. 13 2. 15
Daniels	2. 12	Richland	2. 16
Dawson	2.16	Roosevelt	2.17
Deer Lodge Fallon	1. 99 2. 17	Rosebud Sheridan	2. 10 2. 15
Fergus	2.03	Stillwater	2.03
Gallatin Garfield	2.03 2.14	Sweet Grass _ Teton	2.03 2.03
Glacier	2.03	Toole	2.03
Golden Valley_	2.03 2.03	Treasure	2.09 2.12
Hill Judith Basin _	2.03	Valley Wheatland	2. 12
Lewis and		Wibaux	2.18
Clark	2.03	Yellowstone _	2 . 03
NEBRASKA Box Butte\$2.00			
NORTH DAKOTA			
	te per		ite per
County by	ushel	County by	ushel
Adams Barnes		Cavalier Dickey	2. 29 2. 33
Benson	2. 29	Divide	
Billings	2, 23	Dunn	

Bottineau ___ 2.25

Bowman ____ 2.22

Burleigh ____ 2. 28 Cass ____ 2. 35

2, 23

Burke _____

Dunn ____ 2.23

Eddy _____ 2.30

Emmons ____ 2.27

Foster ____ 2.31 Golden Valley 2.19

Grand Forks _ 2.34

North Dakota-Continued

Ra	te per	Ra	te per
	shel	County by	
Grant	\$2.24	Ransom	\$2.34
Griggs	2.33	Renville	2.24
Hettinger	2.24	Richland	2.37
Kidder	2. 29	Rolette	2.27
La Moure	2. 32	Sargent	2.35
Logan	2.30	Sheridan	2. 28
McHenry	2.27	Sioux	2. 25
McIntosh	2. 29	Slope	2. 19
McKenzie	2. 19	Stark	2. 23
McLean	2. 26	Steele	2.34
Mercer	2.25	Stutsman	2.32
Morton	2. 25	Towner	2. 28
Mountrail	2.24	Traill	2.34
Nelson	2.31	Walsh	2.31
Oliver	2.26	Ward	2.24
Pembina	2. 30	Wells	2.30
Pierce	2.28	Williams	2.22
Ramsey	2.30		
	OKLA	HOMA	
All counties			\$1.86

OREGON All counties_____

..... \$1.81

SOUTH DAKOTA

Re	ate per	Ra	te per
County b	ushel	County by	ishe l
Aurora	\$2. 29	Jackson	\$2. 22
Beadle	2.34	Jerauld	2.34
Bennett	2.18	Jones	2.23
Bon Homme _	2.31	Kingsbury	2.36
Brookings	2.37	Lake	2.36
Brown	2.34	Lawrence	2.17
Brule	2.27	Lincoln	2.35
Buffalo	2.27	Lyman	2.25
Butte	2. 17	McCook	2.35
Campbell	2. 29	McPherson	2.31
Charles Mix	2.28	Marshall	2.34
Clark	2.36	Meade	2. 20
Clay	2.34	Mellette	2.19
Codington	2.37	Miner	2.35
Corson	2. 26	Minnehaha	2.36
Custer	2.17	Moody	2.37
Davison	2. 33	Pennington	2.20
Day	2.35	Perkins	2. 23
Deuel	2.37	Potter	2.29
Dewey	2. 25	Roberts	2.36
Douglas	2. 29	Sanborn	2.34
Edmunds	2.32	Shannon	2. 16
Fall River	2. 10	Spink	2.34
Faulk	2.32	Stanley	2.29
Grant	2.37	Sully	2. 28
Gregory,	2.24	Todd	2. 19
Haakon	2. 23	Tripp	2. 22
Hamlin	2.37	Turner	2.35
Hand	2.33	Union	2.35
Hanson	2.34	Walworth	2.29
Harding	2.22	Washabaugh 🕳	2. 22
Hughes	2.30	Yankton	2.33
Hutchinson	2.31	Ziebach	2. 22
Hyde	2.31	•	

TEXAS

Carson	\$1.94	Hockley	\$1.94
Culberson	1.86	Lamb	1.94
Deaf Smith	1.94	Moore	1.92
Floyd	. 1.94	Pecos	1.87
Glasscock	1.94		

Wisconsin-Continued

Rate mor

nute per		nu	ie per
County by		County by	ıshel
Lincoln	\$2.31	Rusk	\$2.40
Manitowoc	2.27	St. Croix	2.44
Marathon	2.36	Sauk'	-2.32
Marinette	2.28	Sawyer	2.41
Marquette	2, 34	Shawano	2.31
Milwaukee	2.27	Sheboygan	2.27
Monroe	2.37	Taylor	2.38
Oconto	2.28	Trempealeau _	2.40
Oneida	2.32	Vernon	2.37
Outagamie	2.31	Vilas	2.32
Ozaukee	2.27	Walworth	2.27
Pepin	2.43	Washburn	2.42
Pierce	2.44	Washington -	2.27
Polk	2.44	Waukesha	2.27
Portage	2.35	Waupaca	2.33
Price	2.38	Waushara	2.32
Racine	2.27	Winnebago	2.30
Richland	2.32	Wood	2.37
Rock	2.28	•	
WYOMING			

All counties..... \$1.98

- (d) Grade discount. The support rate for grade No. 2 flaxseed shall be 6 cents per bushel less than the support rate for grade No. 1 flaxseed. This discount shall, in the case of loans, be applied to the basic rate at the time the loan is completed and, in the case of deliveries under purchase agreements shall be applied to the basic rate at the time of settlement.
- (e) Premiums for low moisture content. The following premiums are applicable to eligible flaxseed. In the case of farm-storage loans and deliveries under purchase agreements, premiums shall be applied to the basic rates at the time of settlement. In the case of warehouse-storage loans, premiums shall be applied to the basic rates at the time the loans are completed.

Moisture content (percent):	(cents pe bushel)
10.6 to 11.0 inclusive	
10.1 to 10.5 inclusive	
9.6 to 10.0 inclusive	:
9.1 to 9.5 inclusive	:
9.0 or less	

(f) Applicability of weed control provisions. Where the State committee determines that State, district or county weed control laws, as administered, affect the flaxseed crop, the support rate in the case of farm storage shall be 15 cents below the applicable county support rate unless the producer obtains a certificate from the appropriate weed control official indicating that the flaxseed complies with the weed control laws. In the case of warehouse storage, whenever the State committee of the State in which the flaxseed is stored determines that State, district or county weed control laws, as administered, affect flaxseed stored in approved warehouses, the rate shall be 15 cents below the applicable support rate unless the producer obtains a certificate from either the appropriate State, county or district weed control official or the storing warehouseman that the flaxseed complies with the weed control laws, and in the case of the warehouseman, that he will save CCC harmless from loss or penalty because of the weed control laws. The certificate of the warehouseman may be in substantially the following form:

CERTIFICATION

This is to certify that the grain evidenced by warehouse receipt No. _____ issued to _____ is not subject to seizure or other action under weed control laws or regulations in effect at point of storage. It is further certified and agreed that should such grain be taken over by CCC in settlement of a loan or be purchased under the purchase agreement program that the undersigned will save CCC from loss or penalty under weed control laws or regulations in effect at the point the grain was stored under the above warehouse receipt.

	(Signature)	
	. (Address)	
(Date)		

§ 421.5484 Warehouse charges.

(a) (1) Warehouse receipts and the flaxseed represented thereby stored in approved warehouses operating under the Uniform Grain Storage Agreement may be subject to liens for warehouse handling and storage charges at not to exceed the Uniform Grain Storage Agreement rates from the date the flaxseed is deposited in the warehouse for storage: Provided, That the warehouseman shall not be entitled to satisfy the lien by sale of the flaxseed when CCC is holder of the warehouse receipt. Where the date of deposit (the date of the warehouse receipt if the date of deposit is not shown) on warehouse receipts representing flaxseed stored in warehouses operating under the Uniform Grain Storage Agreement is on or before the applicable nonrecourse loan maturity date, there shall be deducted in computing the amount of the loan or purchase price, the storage charges per bushel (gross weight basis) as shown in the following table, unless written evidence has been submitted with the warehouse receipt that all warehouse charges except receiving and loading-out charges have been prepaid through the applicable nonrecourse loan maturity date to be determined in accordance with § 421.5482.

Amount of deduction (cents per bushel) (gross weight basis)	For all States ex- cept Arizona and California—Date the storage charges start (all dates inclusive)	For Arizona and California—Date thestorage charges start (all dates inclusive)
12	Prior to June 4,	
11	June 4-June 23,	Prior to May 11,
10	June 24-July 18, 1960.	May 11-May 30, 1960.
9	July 19-Aug. 14, 1960.	May 31-June 19, 1960.
8	Aug. 15-Sept. 10, 1960.	June 20-July 13, 1960.
7	Sept. 11-Oct. 7,	July 14-Aug. 9, 1960.
6	Oct. 8-Nov. 3, 1960.	Aug. 10-Sept. 5, 1960.
5	Nov. 4-Nov. 30, 1960.	Sept. 6-Oct. 2, 1960.
4	Dec. 1-Dec. 27, _1960.	Oct. 8-Oct. 29, 1960.
3	Dec. 28, 1960-Jan. 23, 1961. Jan. 24-Feb. 19,	Oct. 30-Nov. 25, 1960.
2	1961.	Nov. 26-Dec. 22, 1960.
1	Feb. 20-Mar. 31, 1961.	Dec. 23, 1960-Jan. 31, 1961.

In the case of recourse loans, storage charges shall be deducted in determining the support rate from the date storage charges start against holders of the

warehouse receipt through the recourse loan maturity date, as determined in accordance with § 421.5482, at the rate of .049 cents per bushel per day through June 29, 1960, and at the rate of .037 cents per bushel per day subsequent thereto, unless written evidence has been received that such charges have been prepaid. Where the support rate is determined under § 421.5483 (a) and (b). there shall also be deducted on recourse loans 2.75 cents per bushel for flaxseed received by rail, water or truck, unless written evidence has been received that the receiving and loading-out charges have been prepaid. If the receiving and loading-out charges for truck received flaxseed have been prepaid, the support rate as determined under § 421.5483 (a) (1) (iv) and (a) (2) (ii) shall be increased 4.5 cents per bushel on recourse loans. For flaxseed received by truck in approved warehouses when the support rate is not determined under § 421.5483 (a) and (b), the deduction from the county support rate on recourse loans shall be 7.25 cents per bushel unless evidence has been received that the receiving and loading-out charges have been prepaid.

(2) Notwithstanding the foregoing provisions of this section, if the date the storage charges start against the holders of the warehouse receipts is shown on the warehouse receipt or supplemental certificate and such date is prior to the maturity date of loans for flaxseed but subsequent to the date of deposit of the flaxseed in the warehouse, the deduction for storage in computing the amount of the loan or purchase price shall be for the period from the date storage charges start against holders of the warehouse receipt through the applicable maturity date to be determined in ac-

cordance with § 421.5482.

(b) Warehouse receipts and the flaxseed represented thereby stored in approved warehouses operated by Eastern common carriers may be subject to liens for warehouse elevation (receiving and delivering) and storage charges from the date of deposit at rates approved by the Interstate Commerce Commission: Provided. That the warehouseman shall not be entitled to satisfy the lien by sale of the flaxseed when CCC is holder of the warehouse receipt. There shall be deducted in computing the amount of the loan or purchase price, the amount of the approved tariff rate per bushel (gross weight basis) for storage (not including elevation), which will accumulate from the date of deposit through the applicable maturity date to be determined in accordance with § 421.5482, and in the case of recourse loans the approved tariff rate for elevation charges, unless written evidence has been submitted with the warehouse receipt that such charges have been prepaid. The county office shall request the CSS commodity office to determine the amount of such charges. Where the producer presents evidence showing that elevation charges have been prepaid, the amount of the storage charges to be deducted, in the case of nonrecourse price support, shall be reduced by the amount of the elevation charges prepaid by the producer.

§ 421.5485 Inspection of flaxseed under purchase agreements.

(a) Predelivery inspection. Where the producer has given written notice within the 30-day period prior to the nonrecourse loan maturity date of his intent to sell his flaxseed stored in other than an approved warehouse under purchase agreement to CCC, the county office shall make an inspection of the flaxseed and obtain a sample of the flaxseed and submit it for grade analysis prior to the delivery of the flaxseed. If the flaxseed, on the basis of the predelivery inspection is of a quality which meets the requirements for a farm-storage loan, the county office shall issue delivery instructions on or after the date of inspection. The producer must then complete delivery within a 15-day period immediately following the date the county office issues delivery instructions unless the county office determines that more time is needed for delivery. The producer, whose flaxseed is stored in other than an approved warehouse and whose flaxseed is not of a quality eligible for a loan at the time of the predelivery inspection, shall be notified in writing by the county office that his flaxseed is not eligible for purchase by CCC. If, nevertheless, the producer informs the county office that he will condition the flaxseed or otherwise take action to make the flaxseed eligible and insists upon delivery of the flaxseed, the county office shall issue delivery instructions. In such case, the producer shall be further informed that if such flaxseed, upon delivery and before purchase, does not meet the eligibility requirements of § 421.5478(c) (1) and (2) as determined on the basis of a sample taken at the time of delivery, the flaxseed will not be accepted for purchase by CCC. A predelivery inspection shall not be made on flaxseed stored commingled in warehouses not approved for storage or on flaxseed in an unapproved warehouse which is stored so that the identity of the producer's flaxseed is maintained but a predelivery inspection is not possible. When a predelivery inspection is not made, such flaxseed at the time of delivery must meet the eligibility requirements of § 421.5478(c) (1) and (2).

(b) Inspection of flaxseed stored by producer after maturity date. The producer may be required to retain the flaxseed stored in other than approved warehouse storage under purchase agreement for a period of 60 days after the nonrecourse loan maturity date without any cost to CCC. CCC will not assume any loss in quantity or quality of the flaxseed covered by a purchase agreement occurring prior to delivery to CCC, except for quality deterioration under the following circumstances. If a producer has properly requested delivery instructions for flaxseed which was determined to be of an eligible grade and quality at the time of the predelivery inspection, and CCC cannot accept delivery within the 60-day period following the nonrecourse loan maturity date, the producer may notify the county office at any time after such 60-day period that the flaxseed is going out of condition or is in danger of going out of condition. Such notice must be confirmed in writing. If the county office determines that the flaxseed is going out of condition or is in danger of going out of condition and that the flaxseed cannot be satisfactorily conditioned by the producer, and delivery cannot be accepted within a reasonable length of time, the county office shall obtain an inspection and grade and quality determination. When delivery is completed, settlement shall be made on the basis of such grade and quality determination or on the basis of the grade and quality determination made at the time of delivery, whichever is higher, and on the basis of the quantity actually delivered.

§ 421.5486 Settlement.

(a) Settlement value—(1) Nonrecourse farm-storage loans. In the case of eligible flaxseed delivered to CCC from farm storage under nonrecourse loan, settlement shall be made at the applicable support rate determined in accordance with paragraph (b) of this section. The support rate shall be for the grade and quality of the total quantity of flaxseed eligible for delivery. If, upon delivery, the flaxseed under nonrecourse farm-storage loan is of a grade or quality for which no support rate has been established, the settlement value shall be computed at the basic support rate, adjusted for premiums and discounts, if any, applicable to the grade and quality of the flaxseed placed under loan, less the difference, if any, at the time of delivery, between the market price for the grade and quality placed under loan and the market price of the flaxseed delivered as determined by CCC: Provided, however, That if such flaxseed is sold by CCC in order to determine its market price, the settlement value shall not be less than such sales price: And provided further, That if upon delivery the flaxseed contains mercurial compounds or other substances poisonous to man or animals, such flaxseed shall be sold for seed (in accordance with applicable State seed laws and regulations), fuel, or industrial uses where the end product will not be consumed by man or animals, and the settlement value shall be the same as the sales price, except that if CCC is unable to sell such flaxseed for the use specified above, the settlement value shall be the market value, as determined by CCC, as of the date of delivery.

(2) Nonrecourse warehouse-storage loans. Settlement for eligible flaxseed under nonrecourse warehouse-storage loans not redeemed on maturity and represented by warehouse receipts issued by an approved warehouse shall be made on the basis of the weight, grade, and other quality factors shown on the warehouse receipts or accompanying documents at the applicable support rate determined in accordance with paragraph (b) of this section.

(3) Purchase agreements. Subject to the provisions of § 421.5019 the following shall apply:

(i) Delivery from farm-storage. Settlement for flaxseed delivered to CCC from farm storage meeting the eligibility requirements of § 421.5478(c) (1) and

(2), as determined by a reinspection at the time of delivery, shall be made at the applicable support rate for the grade and quality of the quantity eligible for delivery on the basis of such inspection. Such support rate shall be determined in accordance with paragraph (b) of this section. If flaxseed which was determined to be eligible at the time of the predelivery inspection is, upon delivery, of a grade or quality for which no support rate has been established, the settlement value shall be computed at the support rate established for the grade and quality of the eligible flaxseed as determined at the time of the predelivery inspection less the difference, if any, at the time of delivery, between the market price for the grade and quality of the flaxseed determined by the predelivery inspection and the market price of the flaxseed delivered, as determined by CCC: Provided, however, That if such flaxseed is sold by CCC in order to determine its market price, the settlement value shall not be less than such sales price: And provided further. That if upon delivery the flaxseed contains mercurial compounds or other substances poisonous to man or animals such flaxseed shall be sold for seed (in accordance with applicable State seed laws and regulations), fuel, or industrial uses where the end product will not be consumed by man or animals, and the settlement value shall be the same as the sales price, except that if CCC is unable to sell such flaxseed for the use specified above, the settlement value shall be the market value, as determined by CCC, as of the date of delivery.

(ii) Delivery from approved warehouse-storage. In the case of eligible flaxseed stored commingled in an approved warehouse, the producer must, not later than the day following the loan maturity date, or during such period of time thereafter as may be specified by the county committee, submit to the office of the county committee, warehouse receipts under which the warehouseman guarantees quality and quantity for the quantity of flaxseed he elects to sell to CCC. Settlement for eligible flaxseed delivered under purchase agreement to CCC by submission of warehouse receipts issued by an approved warehouse shall be made on the basis of the weight, grade, and other quality factors shown on the warehouse receipt or accompanying documents at the applicable support rate determined in accordance with paragraph (b) of this section.

(iii) Delivery from unapproved warehouse-storage. The county office will issue instructions on or after the non-recourse loan maturity date for delivery of flaxseed in a warehouse not approved for storage which is stored commingled, or which is stored so that the identity of the producer's flaxseed is maintained but a predelivery inspection is not possible where the producer has properly given the county office written notice of his intent to sell such flaxseed to CCC. Settlement for such flaxseed delivered to CCC which meets the eligibility requirements of § 421.5478(c) (1) and (2) shall

be made at the applicable support rate for the grade and quality of the quantity eligible for delivery. Such support rate shall be determined in accordance with paragraph (b) of this section. If a predelivery inspection of the producer's flaxseed can be made, the provisions of § 421.5485 shall apply and settlement will be the same as for flaxseed delivered under a purchase agreement from farm storage as provided in subdivision (i) of this subparagraph.

(iv) Flaxseed ineligible for delivery inadvertently accepted by CCC. The settlement provisions of this subdivision (iv) shall apply to the following categories of flaxseed ineligible for delivery which is inadvertently accepted by CCC and which CCC determines that it is not in a position to reject: (a) Flaxseed which was of an ineligible grade or quality both at the time of the predelivery inspection and at the time of delivery as redetermined by a reinspection; (b) flaxseed of an ineligible grade or quality which is delivered to CCC in excess of the maximum quantity stated in the purchase agreement; and (c) flaxseed in unapproved warehouse storage on which a predelivery inspection was not performed, and which at the time of delivery does not meet the eligibility requirements of § 421.5478(c) (1) and (2). The settlement value shall be the market price for the grade, quality and quantity of such ineligible flaxseed delivered as determined by CCC: Provided, however, That if such flaxseed is sold by CCC in order to determine its market price, the settlement value shall not be less than such sales price: And provided further, That if upon delivery the flaxseed contains mercurial compounds or other substances poisonous to man or animals. such flaxseed shall be sold for seed (in accordance with applicable State seed laws and regulations), fuel, or industrial uses where the end product will not be consumed by man or animals, and the settlement value shall be the same as the sales price, except that if CCC is unable to sell such flaxseed for the use specified above, the settlement value shall be the market value, as determined by CCC, as of the date of delivery. If flaxseed delivered is of an eligible grade and quality but in excess of the maximum quantity stated in the purchase agreement and such flaxseed is inadvertently accepted by CCC, the settlement value shall be the sales price if the flaxseed is immediately sold. If the flaxseed is not immediately sold, the settlement value shall be the applicable support rate or the market price, as determined by CCC, whichever is lower.

(4) Recourse farm-storage and ware-house-storage loans. Settlement of recourse farm-storage and warehouse-storage loans shall be effected in accordance with the applicable provisions of \$421.5019 (1960 C.C.C. Grain Price Support Bulletin 1).

(b) Applicable support rate for settlement of nonrecourse loans and eligible quantities delivered under purchase agreements. Subject to the provisions of § 421.5019, the support rate for settle-

ment of nonrecourse loans and eligible quantities delivered under purchase agreements shall be determined as follows:

(1) In the case of flaxseed stored in an approved warehouse, settlement shall be made at the applicable support rate in accordance with § 421.5483 except as otherwise provided in subparagraph (4) of this paragraph.

(2) In the case of flaxseed delivered from other than approved warehouse storage, settlement shall be made at the applicable support rate for the county in which the producer's customary shipping point (as determined by the county committee) is located, except as otherwise provided in subparagraphs (3) and (4) of this paragraph.

(3) If the producer is directed to deliver his flaxseed to a terminal market for which a support rate is established, settlement shall be based on the support rate for such terminal market.

(4) If two or more approved warehouses are located at the same or adjoining towns, villages, or cities having the same domestic interstate freight rate, such towns, villages or cities shall be deemed to constitute one shipping point, and the same settlement rate shall apply even though such warehouses are not all located in the same county. Such settlement rate shall be the highest support rate of the counties involved.

(c) Storage deduction for early delivery. No deduction for storage shall be made for farm-stored flaxseed under nonrecourse loan or purchase agreement authorized to be delivered to CCC prior to the loan maturity date, except where it is necessary to call the loan through fault or negligence on the part of the producer or where the producer requests early delivery and the county committee approves the early delivery and determines such early delivery is solely for the convenience of the producer. The deduction for storage shall be made in accordance with the schedule of deductions for warehouse charges in § 421.5484.

(d) Refund of prepaid handling targes. In case a warehouseman charaes. charges the producer for the receiving or the receiving and loading out charges on flaxseed under nonrecourse loan or purchase agreement stored in an approved warehouse, the producer shall, upon delivery of the flaxseed to CCC, be reimbursed or given credit by the county office for such prepaid charges in an amount not to exceed the charges specified in the storage agreement, provided the producer furnishes to the county committee written evidence signed by the warehouseman that such charges have been paid. In case an approved warehouse operated by an Eastern common carrier charges the producer for the elevation charges on flaxseed under nonrecourse loan or purchase agreement, the producer shall, upon delivery of the flaxseed to CCC, be reimbursed or given credit by the county office for such prepaid charges in an amount not to exceed the charges specified in the applicable approved tariff; provided the producer furnishes to the county office written evidence signed by the warehouseman that such charges have been paid and that CCC has not previously given the producer credit for such charges as provided in § 421.5484(b).

(e) Storage payment where CCC is unable to take delivery of flaxseed stored in other than an approved warehouse under nonrecourse loan or purchase agreement. The producer may be required to retain flaxseed stored in other than an approved warehouse under nonrecourse loan or purchase agreement for a period of 60 days after the nonrecourse maturity date without any cost to CCC. However, if CCC is unable to take delivery of such flaxseed within the 60-day period after maturity, the producer shall be paid a storage payment upon delivery of the flaxseed to CCC: Provided, however, That a storage payment shall be paid a producer whose flaxseed is stored in other than an approved warehouse under purchase agreement only if he has properly given notice of his intention to sell the flaxseed to CCC and delivery cannot be accepted within the 60-day period after maturity. The period for earning such storage payment shall begin the day following the expiration of the 60-day period after the maturity date and extend through the final date of delivery, or the final date for delivery as specified in the delivery instructions issued to the producer by the county office, whichever is earlier. The storage payment shall be computed at the storage rate for flaxseed provided for in the Uniform Grain Storage Agreement in effect at the time of such storage.

(f) Track-loading payment. A track-loading payment of 3 cents per bushel shall be made to the producer on non-recourse price support flaxseed delivered to CCC on track at a country point.

(g) Compensation for hauling. the producer is directed by the county office to deliver his nonrecourse price support flaxseed to a point other than his customary shipping point, he shall be allowed compensation (as determined by CCC, at not to exceed the common carrier truck rate or the rate available from local truckers) for the additional cost of hauling the flaxseed any distance greater than the distance from the point where the flaxseed is stored by the producer to the customary shipping point: Provided, That if the producer is directed to deliver his flaxseed to a terminal market for which a support rate is established, no compensation shall be allowed for hauling.

(h) Method of payment under purchase agreement settlements. When delivery of flaxseed under purchase agreement is completed, payment will be made by sight draft drawn on CCC by the county office. The producer shall direct, on Commodity Purchase Form 4, to whom payment of the proceeds shall be made.

Issued this 20th day of May 1960.

CLARENCE D. PALMBY,
Acting Executive Vice President,
Commodity Credit Corporation.

[F.R. Doc. 60-4764; Filed, May 25, 1960; 8:50 a.m.]

Title 7—AGRICULTURE

Chapter IX—Agricultural Marketing Service (Marketing Agreements and Orders), Department of Agriculture

PART 922 — VALENCIA ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

Expenses and Fixing of Rate of Assessment for 1959—1960 Fiscal Year

Notice was published in the May 7. 1960, daily issue of Federal Register (25 F.R. 4089) that consideration was being given to the proposals regarding the expenses and the fixing of the rate of assessment for the 1959-60 fiscal year under the marketing agreement and Order No. 22, as amended (7 CFR Part 922), regulating the handling of Valencia oranges grown in Arizona and designated part of California, originally effective March 31, 1954, under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674). After consideration of all relevant matters presented, including the proposals set forth in such notice which were submitted by the Valencia Orange Administrative Committee (established pursuant to said marketing agreement and order, as amended), it is hereby found and determined that:

§ 922.207 Expenses and rate of assessment for the 1959-60 fiscal year.

(a) The expenses necessary to be incurred by the Valencia Orange Administrative Committee, established pursuant to the provisions of the aforesaid marketing agreement and order, as amended, to enable such committee to perform its functions, in accordance with the provisions thereof, during the 1959-60 fiscal year (November 1, 1959, through October 31, 1960), will amount to \$175,000; and the rate of assessment, which each handler who first handles oranges shall pay as his pro rata share of the aforesaid expenses in accordance with the applicable provisions of said marketing agreement and order, as amended, is hereby fixed at nine mills (\$0.009) per carton of oranges handled by such handler as the first handler thereof during the 1959-60 fiscal year.

It is hereby further found that good cause exists for not postponing the effective time hereof until 30 days after publication in the Federal Register (5 U.S.C. 1001-1011) in that (1) shipments of oranges from Arizona and designated part of California are now being made: (2) the rate of assessment is applicable to all oranges handled during the 1959-60 fiscal year; (3) the provisions hereof do not impose any obligation on a handler until such handler handles oranges: and (4) it is essential that the specification of the assessment rate be issued immediately so that the aforesaid assessments may be collected and thereby enable the Valencia Orange Administrative Committee to perform its duties and

functions in accordance with said marketing agreement and order, as amended.

Terms used herein shall have the same meaning as when used in said marketing agreement and order, as amended. (Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated, May 20, 1960, to become effective upon publication in the Federal Register.

S.R. SMITH,
Director, Fruit and Vegetable
Division, Agricultural Marketing Service.

[F.R. Doc. 60-4751; Filed, May 25, 1960; 8:49 a.m.]

[Nectarine Order 3, Amdt. 1]

PART 937—NECTARINES GROWN IN CALIFORNIA

Limitation of Shipments

Findings. 1. Pursuant to the marketing agreement and Order No. 37 (7 CFR Part 937) regulating the handling of nectarines grown in California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendations of the Nectarine Administrative Committee, established under the aforesaid marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of nectarines in the manner herein provided, will tend to effectuate the declared policy of the act.

2. It is hereby further found that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice, engage in public rulemaking procedure, and postpone the effective date of this amendment until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 1001-1011) in that the time intervening between the date when information upon which this amended regulation is based became available and the time when this amended regulation must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective not later than the date hereinafter spec-The Nectarine Administrative Committee at its meeting on April 27, 1960, concluded that more uniformity of sizes of nectarines within containers is necessary to achieve orderly marketing conditions, and that such uniformity should be effected by amendment of Nectarine Order 3 as hereinafter set forth. Such meeting was held, after giving due notice thereof, to consider the need for, and the extent of, regulation of shipments of such nectarines. Interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for the amended regulation, as specified herein. were submitted to the Department after such meeting was held; necessary supplementary information concerning the specifications of such regulation was not available until May 23, 1960; shipments of the current crop of such nectarines are expected to begin on or about the effective date hereof; this regulation should be applicable to all such shipments in order to effectuate the declared policy of the act; the provisions of this amended regulation are identical with the aforesaid recommendation of the committee; and information concerning such provisions and effective time has been disseminated among handlers of such nectarines and compliance with the provisions of this regulation will not require of handlers any preparation therefor which cannot be completed by the effective time hereof.

It is, therefore, ordered, That the provisions of paragraph (b) of § 937.312 (Nectarine Order 3; 24 F.R. 4208) are hereby amended to read as follows:

- (b) Order. (1) After the effective time of this section, no handler shall handle any package or container of any variety of nectarines except in accordance with the following terms and conditions:
- (i) Such nectarines, when place-packed in packages or containers in rows, shall conform to the requirements of a standard pack: Provided, That whenever a regulation under this part prescribes the maximum number of nectarines of a specified variety that may be packed in a particular container, other than containers equipped with cell compartments, cardboard fillers, or molded trays, not to exceed 10 percent, by count, of such containers in any lot may contain a numercial count of such variety in excess of such maximum.
- (ii) Each package or container of nectarines shall bear in plain sight and in plain letters, on one outside end, the name of the variety, if known, or when the variety is not known, the words "unknown variety."
- (2) When used herein, "standard pack" shall have the same meaning as set forth in the U.S. Standards for Nectarines (§§ 51.3145-51.3159 of this title; 25 F.R. 3059); the term "lot" shall mean the total number of containers of nectarines of a particular size and variety included in one shipment; and all other terms shall have the same meaning as when used in the marketing agreement and order.

The provisions of this amended regulation shall become effective at 12:01 a.m., P.s.t., May 27, 1960.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated: May 25, 1960.

FLOYD F. HEDLUND,
Deputy Director, Fruit and Vegetable Division, Agricultural
Marketing Service.

[F.R. Doc. 60-4827; Filed, May 25, 1960; 11:48 a.m.]

[Nectarine Order 1]

PART 937—NECTARINES GROWN IN CALIFORNIA

Limitation of Shipments

§ 937.318 Nectarine Order 1.

- (a) Findings. (1) Pursuant to the marketing agreement and Order No. 37 (7 CFR Part 937) regulating the handling of nectarines grown in the State of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendations of the Nectarine Administrative Committee, established under the aforesaid marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of nectarines as hereinafter set forth, and in the manner herein provided, will tend to effectuate the declared policy of the act.
- (2) It is hereby further found that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice, engage in public rulemaking procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 1001-1011) in that, as hereinafter set forth, the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective not later than the date hereinafter specified. A reasonable determination as to the supply of, and the demand for. such nectarines must await the development of the crop thereof, and adequate information thereon was not available to the Nectarine Administrative Committee until the date hereinafter set forth on which an open meeting was held. after giving due notice thereof, to consider the need for, and the extent of, regulation of shipments of such nectarines. Interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held: shipments of the current crop of such nectarines are expected to begin on or about the effective date hereof; this section should be applicable to all such shipments in order to effectuate the declared policy of the act: the provisions of this section are identical with the aforesaid recommendation of the committee; information concerning such provisions and effective time has been disseminated among handlers of such nectarines: and compliance with the provisions of this section will not require of handlers any preparation therefor which

cannot be completed by the effective time hereof. Such committee meeting was held on May 19, 1960.

(b) Order. (1) During the period beginning at 12:01 a.m., P.s.t., May 27, 1960, and ending at 12:01 a.m., P.s.t., November 1, 1960, no handler shall handle any package or container of any variety of nectarines unless such nectarines grade at least U.S. No. 1.

(2) When used herein, "U.S. No. 1" shall have the same meaning as set forth in the United States Standards for Nectarines (§§ 51.3145-51.3159 of this title), and all other terms shall have the same meaning as when used in the marketing agreement and order.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated: May 25, 1960.

FLOYD F. HEDLUND, Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F.R. Doc. 60-4825; Filed, May 25, 1960; 11:48 a.m.]

[Nectarine Order 2]

PART 937—NECTARINES GROWN IN CALIFORNIA

Limitation of Shipments

§ 937.319 Nectarine Order 2.

(a) Findings. (1) Pursuant to the marketing agreement and Order No. 37 (7 CFR Part 937) regulating the handling of nectarines grown in the State of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendations of the Nectarine Administrative Committee, established under the aforesaid marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of nectarines of the varieties hereinafter set forth, and in the manner herein pro-vided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice, engage in public rulemaking procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 1001-1011) in that, as hereinafter set forth, the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective not later than the date hereinafter specified. A reasonable determination as to the supply of, and the demand for, such nectarines must await the development of the crop thereof, and adequate information thereon was not available to the Nectarine Administrative Committee until the date hereinafter set forth on which an open meeting was held, after giving due notice thereof, to consider the need for, and the extent of, regulation of shipments of such nectarines. Interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held: shipments of the current crop of such nectarines are expected to begin on or about the effective date hereof; this section should be applicable to all such shipments in order to effectuate the declared policy of the act; the provisions of this section are identical with the aforesaid recommendation of the committee; information concerning such provisions and effective time has been disseminated among handlers of such nectarines; and compliance with the provisions of this section will not require of handlers any preparation therefor which cannot be completed by the effective time hereof. Such committee meeting was held on May 19, 1960.

(b) Order. (1) During the period beginning at 12:01 a.m., P.s.t., May 27, 1960, and ending at 12:01 a.m., P.s.t., November 1, 1960, no handler shall handle any package or container of Sunrise, Princess, Quetta, Grand River, John River, Early River, Rose, Silver Lode, Grand Haven, Panamint, or Gower nectarines unless:

(i) Such nectarines, when packed in a standard basket, are of a size not smaller than a size that will pack a 4 x 4 standard pack; or

(ii) Such nectarines, when packed in a No. 26 standard lug box, or in a No. 27 standard lug box, are of a size that will pack, in accordance with the requirements of a standard pack, not more than 108 nectarines in the respective lug box; or

(iii) Such nectarines, when packed in any container other than the containers specified in subdivisions (i) and (ii) of this subparagraph, measure not less than two (2) inches in diameter: *Provided*, That not to exceed ten (10) percent, by count, of the nectarines in any such container may fail to meet such diameter requirement.

(2) When used herein, "diameter" and "standard pack" shall have the same meaning as set forth in the United States Standards for Nectarines (§§ 51.3145–51.3159 of this title); "standard basket" shall mean the standard basket set forth in paragraph 1 of section 828.1 of the Agricultural Code of California; "No. 26 standard lug box," and "No. 27 standard lug box," respectively, shall have the same meaning as set forth in section 828.4 of the Agricultural Code of California, and all other terms shall have the same meaning as when used in the marketing agreement and order.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated: May 25, 1960.

FLOYD F. HEDLUND,
Deputy Director, Fruit and
Vegetable Division, Agricultural Marketing Service.

[F.R. Doc. 60-4826; Filed, May 25, 1960; 11:48 a.m.]

PART 951—TOKAY GRAPES GROWN IN SAN JOAQUIN COUNTY, CALI-FORNIA

Subpart—Industry Committee Rules and Regulations

Notice was published in the April 7, 1960, daily issue of the FEDERAL REGISTER (25 F.R. 2993) that the Department was giving consideration to a proposed revision of the rules and regulations that are currently in effect (7 CFR 951.100 et seg.: Subpart—Rules and Regulations) of the Industry Committee, established under the marketing agreement, as amended and Order No. 51, as amended (7 CFR Part 951; 24 F.R. 1238), regulating the handling of Tokay grapes grown in San Joaquin County, California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674).

After consideration of all relevant matters presented, including the proposals set forth in the aforesaid notice which were submitted by the said Industry Committee, it is hereby found and determined that the revision, as hereinafter set forth, of the said rules and regulations is in accordance with the provisions of the said amended marketing agreement and order and it is hereby approved:

- DEFINITIONS

Sec. 951.100 Order.

951.101 Marketing agreement.

951.102 Other terms.

951.103 Standard package.

GENERAL

951.118 Communications.

NOTICE OF RECOMMENDATIONS AND REGULA-TIONS; EXEMPTIONS CERTIFICATES

951.120 Notice of recommendation.

951.121 Notice of regulation. 951.122 Exemption certificates.

VOLUME REGULATION

951.130 Application for allotment.

951.131 Adjustments to correct errors, omissions or inaccuracies.

951.132 Certificate of allotment.

951.133 Transfers from one handler to

another. 951.134 Undershipments.

SAFEGUARDS WITH RESPECT TO SHIPMENTS WITHIN THE PRODUCTION AREA AND SHIP-MENTS BY TRUCK

951.150 Shipments within area of production.

951.151 Assignment of alloment certificates. 951.160 Reports.

SHIPMENTS NOT SUBJECT TO REGULATION 951.170 Grapes not subject to regulation.

951.180 Nomination for position as seventh member of committee.

951.190 Election procedure for Shippers' Advisory Committee.

951.191 Determination of handler volume.

AUTHORITY: §§ 951.100 to 951.191 issued under secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674.

DEFINITIONS

§ 951.100 Order.

"Order" means Order No. 51, as amended (§§ 951.1 to 951.94; 24 F.R. 1238), regulating the handling of Tokay grapes grown in San Joaquin County in California.

§ 951.101 Marketing agreement.

"Marketing agreement" means marketing Agreement No. 93, as amended.

§ 951.102 Other terms.

Other terms used in this subpart shall have the same meaning as when used in the marketing agreement and order.

§ 951.103 Standard package.

"Standard package" means the standard grape lug No. 37G specified in section 828.53 of the Agricultural Code of California.

GENERAL

§ 951.118 Communications.

Unless otherwise prescribed in this subpart or in the marketing agreement and order, or required by the Industry Committee, all reports, applications, submittals, requests, and communications in connection with the marketing agreement and order shall be addressed to Industry Committee, P.O. Box 877. Lodi. California.

NOTICE OF RECOMMENDATIONS AND REGU-LATIONS; EXEMPTION CERTIFICATES

§ 951.120 Notice of recommendation.

Notice of each recommendation made by the Industry Committee to the Secretary, with respect to regulation of the shipment of grapes pursuant to § 951.50, § 951.55, or § 951.60, or the modification, suspension, or termination of any such regulation pursuant to § 951.60 or § 951.73, shall be given by the Industry Committee by having a general statement of the contents of the recommendation published once in a newspaper of general circulation in the City of Lodi, California.

§ 951.121 Notice of regulation.

Notice of each regulation of the shipment of grapes, and of each modification, suspension, or termination thereof, shall be given by the Industry Committee by having a general statement of the contents of the regulation, modification, suspension, or termination, as the case may be, mailed to each handler whose name appears on the records of the Industry Committee for the then current year, and by having such statement published once as a news item in a newspaper of general circulation in the City of Lodi, California: Provided, That legal notice of each regulation and any modification, suspen-

sion, or termination shall be deemed to be given by publication thereof in the FEDERAL REGISTER as required by law.

§ 951.122 Exemption certificates.

Exemption certificates shall be issued by the Industry Committee pursuant to the following:

- (a) Applications for Exemption certificates shall be submitted to the Industry Committee on forms prescribed and furnished by the committee and shall contain the following information:
 - (1) Name and address of applicant.
- (2) Location of vineyard from which grapes are to be shipped pursuant to the exemption certificate.
- (3) The name, if any, of the vineyard, the number of acres and age of vines of the grapes with respect to which exemption is requested.
- (4) Total quantity of Tokay grapes produced in the aforesaid vineyard for each of the preceding three seasons, the quantity shipped in fresh form for each of such seasons, and the quantity shipped under exemption certificates for each of such seasons.
- (5) Quantity of grapes applicant has shipped in fresh fruit channels and disposed of otherwise from the beginning of the current season to the date of the application.
- (6) The conditions beyond the control of the applicant which prevent the grapes for which exemption is requested from meeting the requirements of the grade and size regulation then in effect.
- (7) Name of shipper if different from applicant.
- (8) Such additional information as the Industry Committee may require in order to determine whether the applicant is entitled to an exemption certificate.
- (b) It shall be the sole responsibility of the applicant to furnish requisite proof to the Industry Committee of the conditions beyond his control affecting his grapes. Conditions beyond the control of the grower may include adverse climatic conditions, excesses or shortages of water not caused by faulty irrigation practices, or other conditions not resulting from the failure of the grower to follow proper cultural and harvesting practices.
- (c) The Industry Committee shall promptly investigate all statements contained in the application and thereafter shall determine whether such application shall be approved. Approval shall be evidenced by the issuance to the applicant of an exemption certificate. In the case of disapproval, a written notice of such disapproval and the reason therefor shall be forwarded to the applicant.
- (d) Each exemption certificate issued shall be on a form prescribed by the Industry Committee and shall be signed by the Secretary or Assistant Secretary of the committee. It shall specify the defects for which exemption is granted and the period during which the exemption certificate shall be effective. Each exemption certificate shall be effective only for the defects specified therein. It shall be issued in quadruplicate; and one copy shall be delivered to the grower, one copy shall be delivered to the shipper designated by the grower to receive a copy, one copy shall be delivered to the

field representative of the Industry Committee, and one copy shall be retained by the Industry Committee.

(e) The committee may, at any time, cancel or modify an exemption certificate if it is determined that the need for such exemption no longer exists or that a different quantity of the restricted or prohibited grades and sizes than that provided by such exemption certificate will permit the applicant to ship the requisite percentage of his crop.

(f) Each shipper handling Tokav grapes pursuant to an exemption certificate shall keep an accurate record of . all shipments, made pursuant to the certificate, in the appropriate blank spaces provided for therein. Such record shall include with respect to each shipment, the date, the number of the railroad car or license number of the truck in which such shipment is made, the name of the shipper, the shipping point, the consignment number, and the quantity of each size and grade of Tokay grapes in such shipment. When the quantity of grapes authorized by the exemption certificate has been shipped or shipments pursuant to an exemption certificate have been completed, the exemption certificate containing the record of shipments shall be submitted promptly to the Industry Committee or its duly authorized representative.

VOLUME REGULATION

§ 951.130 Application for allotment.

Each person who proposes to ship grapes as the first handler thereof during any period in which grapes may be regulated pursuant to § 951.61 shall submit to the Industry Committee, on forms prescribed and furnished by such committee, a written application for allotment. Such application shall be submitted on such dates as the Industry Committee may from time to time designate, shall contain the information prescribed in § 951.63 (a), and, in addition, shall contain a certification to the United States Department of Agriculture and the Industry Committee as to the truthfulness of the information contained therein.

§ 951.131 Adjustments to correct errors, omissions, or inaccuracies.

Whenever the Industry Committee determines that an error, omission, or inaccuracy has resulted in a handler receiving more or less allotment than that to which he was entitled, the allotments of such handler shall thereafter be adjusted during a maximum period of four consecutive allotment periods (or the balance of the then current season if less than four allotment periods): Provided, That, insofar as possible, the amount of adjustment for any allotment period shall not exceed one-half of the total allotment issued to such handler for such period, and, where necessary to comply with this limitation, the maximum period may be extended. Such adjustments shall be made only during the season in which the errors, omissions, or inaccuracies occurred.

8 951.132 Certificate of allotment.

Two days prior to each allotment period, Certificates of Allotment for such

period shall be mailed to each handler entitled to an allotment. Not later than the end of the second day of such allotment period, a Certificate of Revised Allotment shall be mailed to handlers. Each Certificate of Allotment shall contain: (a) The date of issuance (b) the name and address of the handler to whom issued, (c) the allotment period to which applicable, (d) the total allotment issued to such handler pursuant to §§ 951.62(a) and 951.65. In addition to the foregoing information, each Certificate of Revised Allotment shall show adjustments by reasons of prior undershipments, overshipments, and repayment of loans.

§ 951.133 Transfers from one handler to another.

Any person gaining the right to ship grapes from a vineyard by reason of a grower's transfer of his grapes to such person may submit an application to the Industry Committee on such form as it shall prescribe for an increase in his allotment percentage. Such application shall contain: (a) The date of application, (b) the name and address of the applicant, (c) the name and address of the grower, (d) the name and location of the vineyard involved, (e) the date such transfer became effective, (f) the record of shipments of Tokay grapes from such vineyard during the two previous seasons, and (g) a verification of the transfer signed by the person losing the right to ship such grapes or by the grower. In the event the verification is signed by the grower, the application must also contain a certification by such grower to the United States Department of Agriculture and to the Industry Committee that he had the right to make such transfer.

§ 951.134 Undershipments.

Whenever a handler has allotment available by reason of a prior undershipment of allotment, the portion of such undershipment which he may use shall not exceed 10 percent of the total allotment issued to him for the period in which the undershipment occurred, or the equivalent of 1,105 standard packages of grapes, whichever is the greater.

SAFEGUARDS WITH RESPECT TO SHIPMENTS WITHIN THE PRODUCTION AREA AND SHIPMENTS BY TRUCK

§ 951.150 Shipments within area of production.

With respect to each shipment of grapes to a destination within the production area, each handler shall first obtain from the purchaser a certification, on such form as is prescribed by the Industry Committee, to the United States Department of Agriculture and the Industry Committee that such grapes are for delivery to a destination within the production area and will not be shipped from the production area. Such certificate shall state the date of shipment, the quantity of grapes included in the shipment, the truck license number or other identification of the carrier of the grapes, and the signature and address of the purchaser, or his agent. The certificate shall also be signed by the handler and shall be forwarded to the Industry Committee within 48 hours after the time of the shipment.

§ 951.151 Assignment of allotment certificates.

Assignment of allotment certificates shall be issued in triplicate by the handler on the form prescribed by the Industry Committee. The original shall be mailed to the Industry Committee at time of issuance; the duplicate shall accompany the shipment at all times until it arrives at destination; and the triplicate shall be retained by the handler issuing the certificate for at least two succeeding years.

§ 951.160 Reports.

Each handler of Tokay grapes shall furnish, or shall authorize any or all railroad, transportation, or cold storage agencies to furnish, daily to the Industry Committee, during such periods as shall be required by it, the following information:

(a) A report of all grapes packed by or for such handler. Such report shall show separately for each vineyard for which adjusted allotment has been issued, the name of the grower and the

quantity of grapes packed.

- (b) A report of all shipments, including the origin of the shipment, the date of billing, the destination, any diversion orders issued on such shipment, the name and address of any refrigerated storage warehouse within the State of California to which the shipment is consigned either in transit or otherwise, the car or truck license number, the number of standard packages of grapes or the billing weight thereof. Such report shall include all shipments from refrigerated storage warehouses within the State of California.
- (c) The grade of all grapes shipped.
 (d) In addition to all other information required to be supplied by said handler as set forth in this section, each handler who ships grapes for which an exemption certificate is required under the provision of § 951.51 shall furnish to the confidential employees of the Industry Committee complete daily information with respect to each such shipment as follows:
- (1) The name of the grower for whom such grapes were shipped;
- (2) The grade and size of such grapes; and
- (3) The number of the exemption certificate under which such grapes were shipped.

SHIPMENTS NOT SUBJECT TO REGULATION

§ 951.170 Grapes not subject to regulation.

- (a) Grapes for charitable purposes. Any person who ships Tokay grapes for consumption by charitable institutions or for distribution by relief agencies or for relief purposes shall first deliver to the Industry Committee or its designated agent evidence satisfactory to the committee or its designated agent that said grapes actually will be used for one or more of the aforesaid purposes.
- (b) Grapes for conversion into byproducts, including wine and juice. Each handler who ships grapes to any

point outside the State of California, or to any point within the State of California in any container containing less than 200 pounds of grapes, for commercial conversion into by-products, wine, or juice shall first obtain, and furnish to the Industry Committee, a certification to the United States Department of Agriculture and to the Industry Committee, executed by the purchaser of such grapes, that the grapes will be used for by-products, wine, or juice purposes.

(c) Shipments by types or in minimum quantities. Nothing contained in this subpart shall in any way restrict or limit (1) shipments of grapes to any one person during any calendar day in quantities of five standard packages or less, or the equivalent thereof, for purposes other than resale, and (2) shipments of grapes which are donated for trade promotion purposes and which are not to be sold.

§ 951.180 Nomination for position as seventh member of committee.

The six alternates nominated at grower meetings provided for in § 951.22 (a) are eligible to be nominated for the position of member at large.

§ 951.190 Election procedure for Shippers' Advisory Committee.

The Industry Committee shall conduct the election meeting of the Shippers' Advisory Committee. The election of members and alternate members of the Shippers' Advisory Committee shall proceed in the following order:

(a) Three members shall be elected by and from among, the five largest handlers, or employees, or representatives of such handlers.

- (b) Three members shall be elected by all other handlers during the same period the five largest handlers are making their selections.
- (c) The six elected members of the Shippers' Advisory Committee and the Industry Committee will elect the member at large.
- (d) Three alternate members shall be elected by the five largest handlers.
- (e) Three alternates shall be elected by the remaining handlers.
- (f) The first six elected members of the Shippers' Advisory Committee and the Industry Committee will elect the alternate to the member at large.

§ 951.191 Determination of handler volume.

The basis for the quantity of grapes shipped by each respective handler during the preceding season pursuant to § 951.40 shall be the total number of lugs, or equivalent thereof, reported for the preceding season by such handlers on manifests to the Industry Committee and on which each shipper paid the assessment.

Dated May 23, 1960, to become effective 30 days after publication in the Federal Register.

G. R. GRANGE,
Acting Director, Fruit and Vegetable Division, Agricultural
Marketing Service.

[F.R. Doc. 60-4763; Filed, May 25, 1960; 8:50 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter II—Civil Aeronautics Board
SUBCHAPTER A—ECONOMIC REGULATIONS
[Reg. No. ER-303]

PART 221—CONSTRUCTION, PUBLI-CATION, FILING AND POSTING OF TARIFFS OF AIR CARRIERS AND FOREIGN AIR CARRIERS

Posting Tariff Publications for Public Inspection

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 23d day of May 1960.

Subpart N of Part 221 of the Board's Economic Regulations, which governs the posting of tariffs for public inspection, presently provides that each air carrier shall post and make available for public inspection at each of its stations or offices all of the currently effective tariffs and tariff publications issued but not yet effective to which it is a party.

On January 25, 1960, the Board adopted Amendment 4 to Part 221 (25 F.R. 723) which implements its tariff posting rules by requiring air carriers to display continuously and conspicuously at each station or office where tariffs must be posted a notice advising the public that all its tariffs, those currently effective and those issued but not yet effective, were on file there and available for public inspection.

Pursuant to a request for postponement of Amendment 4, so that data could be presented to the Board with respect to the revision of the underlying tariff posting requirements of Subpart N of Part 221, the Board, in Amendment 5 of March 18, 1960 (25 F.R. 2417), postponed the effective date of Amendment 4 to May 27, 1960. On March 7, 1960. Eastern Air Lines presented material to the Board which proposed that Subpart N of Part 221 of the Board's Economic Regulations, which governs the posting of tariffs for public inspection, be modified. Its proposal was subsequently endorsed by other air carriers.

The Board has found merit in the proposal that tariffs should be required to be posted at every place where they have application, but at no other place. Consequently only passenger tariffs would have to be posted at places where passenger tickets are sold and only cargo tariffs at freight offices. Eastern also proposed that an air carrier should be permitted to discontinue the posting of any given tariff if such tariff is not used by the public for a substantial length of time. The Board believes that such an exception to the tariff-posting requirement would not be justified since the right of the public to inspect tariffs cannot be made to depend on how often that right is exercised, and the need of a member of the public for such inspection may be even greater in the case of rarely inspected tariff provisions.

The new regulation retains the requirement, as set forth in Amendment 4, that the air carrier post a notice at such of-

fices which states that applicable tariffs are on file and available. Amendment 4 to Part 221 will be incorporated in this new regulation and is therefore superseded. Since this amendment relieves a burden placed upon those required to post tariffs, the Board finds that notice and public procedure hereon are not necessary.

In consideration of the foregoing the Civil Aeronautics Board hereby amends Part 221 of the Economic Regulations (14 CFR Part 221) as follows:

- 1. By rescinding Amendment 4 to Part 221 (25 F.R. 723), adopted January 25, 1960, and Amendment 5 to Part 221 (25 F.R. 2417), adopted March 18, 1960, effective May 23, 1960.
- 2. By amending Subpart N of Part 221, effective June 24, 1960, to read as follows:

Subpart N—Posting Tariff Publications For Public Inspection

Sec.

221.170 Posting at principal or general office.

221.171 Posting at stations, offices, or locations other than principal or general office.

221.172 Accessibility of tariffs to the public. 221.173 Notice of tariff posting.

AUTHORITY: §§ 221.170 to 221.173 issued under sec. 204(a), 72 Stat. 743, 49 U.S.C. 1324. Interpret or apply sec. 403, 72 Stat. 758, 49 U.S.C. 1373.

§ 221.170 Posting at principal or general office.

Each carrier shall maintain permanently at its principal or general office a complete file of all tariffs issued by it and by its agents and those issued by other carriers in which it concurs.

§ 221.171 Posting at stations, offices, or locations other than principal or general office.

- (a) Each carrier shall post and make available for public inspection at each of its stations, offices, or other locations which is in charge of a person employed exclusively by the carrier, or by it jointly with another person, currently effective tariffs and tariff publications which have been issued but are not yet effective, to which it is a party, as follows:
- (1) At stations, offices, or locations at which tickets for passenger transportation are sold, all tariff publications applicable to passenger traffic from or to the point where such station, office, or location is situated, including tariffs covering any terminal services, charges, or practices whatsoever, which apply to passenger traffic from or to such point.
- (2) At stations, offices, or locations at which property is handled, received, and delivered for transportation, all tariff publications applicable to cargo traffic from or to the point where such station, office or location is situated, including tariffs covering any terminal services, charges, or practices whatsover, which apply to cargo traffic transported from or to such point.
- (b) A carrier will be deemed to have complied with the requirement that it "post" tariffs, if it maintains at each station, office, or location a file in complete form of all tariff publications required to be posted.

(c) Each tariff publication issued shall be posted by each carrier party thereto at least 30 days before its effective date, except that in the case of carrier stations, offices, or locations situated outside the United States, its territories and possessions, the time shall not be less than 25 days before the effective date of the tariff, and except that a tariff publication which the Board has authorized to be filed on shorter notice shall be posted by the carrier on like notice as authorized for filing.

§ 221.172 Accessibility of tariffs to the public.

Each file of tariffs shall be kept in complete and accessible form. Employees of the carrier shall be required to give any desired information contained in such tariffs, to lend assistance to seekers of information therefrom, and to afford inquirers opportunity to examine any of such tariffs without requiring the inquirer to assign any reason for such desire.

§ 221.173 Notice of tariff posting.

Each carrier shall cause to be displayed continuously in a conspicuous public place at each station, office, or location at which tariffs are required to be posted, a notice printed in large type reading as follows:

PUBLIC INSPECTION OF TARIFFS

All the currently effective passenger (and/ or cargo as applicable) tariffs to which this company is a party and all passenger (and/ or cargo as applicable) tariff publications which have been issued but are not yet effective are on file in this office, so far as they apply to traffic from or to _____. (Here name the point.) These tariffs may be inspected by any person upon request and without the assignment of any reason for such inspection. The employees of this company on duty in this office will lend assistance in securing information from the tariffs.

In addition, a complete file of all tariffs of this company, including canceled tariffs, with indexes thereof, is maintained and kept available for public inspection at ______ (Here indicate the place or places where complete tariff files are maintained, including the street address, and where appropriate, the room number.)

By the Civil Aeronautics Board.

MAREL MCCART. Acting Secretary.

[F.R. Doc. 60-4781; Filed, May 25, 1960; 8:51 a.m.]

Chapter III—Federal Aviation Agency

SUBCHAPTER E-AIR NAVIGATION **REGULATIONS**

[Airspace Docket No. 60-NY-14]

PART 600-DESIGNATION OF FEDERAL AIRWAYS

Modification

On March 5, 1960, a Notice of Proposed Rule Making was published in the Feb-ERAL REGISTER (25 F.R. 1957) stating that the Federal Aviation Agency proposed to designate west alternates to VOR Federal airway No. 97 from London, Ky., to Lexington, Ky., and from Lexington to Cincinnati, Ohio.

No adverse comments were received regarding the proposed amendment.

Interested persons have been afforded an opportunity to participate in the making of the rule herein adopted, and due consideration has been given to all relevant matter presented.

The substance of the proposed amendment having been published, therefore, pursuant to the authority delegated to me by the Administrator (24 F.R. 4530) and for the reasons stated in the Notice, the following action is taken:

In the text of § 600.6097 (24 F.R. 10514, 25 F.R. 857, 3316) "Lexington, Ky., VOR; Cincinnati, Ohio, VOR, including an E alternate from the London VOR to the Cincinnati VOR via the INT of the London VOR 004° True with the Lexington VOR 107° True radials, and the Falmouth, Ky., VOR;" is deleted and "Lexington, Ky., VOR, including a W alternate; Cincinnati, Ohio, VOR, including a W alternate via the Lexington VOR 327° True and the Cincinnati VOR 192° True radials, and also an E alternate from the London VOR to the Cincinnati VOR via the INT of the London VOR 004° True and the Lexington VOR 107° True radials, and the Falmouth, Ky., VOR:" is substituted therefor.

This amendment shall become effective 0001 e.s.t., July 28, 1960.

(Secs. 307(a), 313(a), 72 Stat. 749, 752; 49 U.S.C. 1348, 1354)

Issued in Washington, D.C., on May 19, 1960.

> D. D. THOMAS, Director, Bureau of Air Traffic Management.

[F.R. Doc. 60-4724; Filed, May 25, 1960; 8:45 a.m.]

[Airspace Docket No. 59-WA-241]

PART 600-DESIGNATION OF FEDERAL AIRWAYS

Modification

On March 1, 1960, a Notice of Proposed Rule Making was published in the FED-ERAL REGISTER (25 F.R. 1802) stating that the Federal Aviation Agency proposed to modify the segment of VOR Federal airway No. 144 between Morgantown, W. Va., and Washington, D.C., via the Kessel, W. Va., VOR.

Subsequent to the publication of the Notice, the commissioning date of the Kessel VOR was rescheduled to January 12, 1961.

No adverse comments were received regarding the proposed amendment.

Interested persons have been afforded on opportunity to participate in the making of the rule herein adopted, and due consideration has been given to all relevant matter presented.

The substance of the proposed amendment having been published, therefore, pursuant to the authority delegated to me by the Administrator (24 F.R. 4530) and for the reasons stated in the Notice. the following action is taken:

In the text of § 600.6144 (24 F.R. 10518, 25 F.R. 3576), "Front Royal, Va., VOR; INT of the Front Royal VOR 112° and the Washington TVOR 345° radials; to the Washington, D.C., TVOR." is deleted and "Kessel, W. Va., VOR; Linden, Va., VOR; INT of the Linden VOR 095° True and the Washington, D.C., VOR 245° True radials; to the Washington VOR." is substituted therefor.

This amendment shall become effective 0001 e.s.t., January 12, 1961.

(Secs. 307(a), 313(a), 72 Stat. 749, 752; 49 U.S.C. 1348, 1354)

Issued in Washington, D.C., on May 19, 1960.

> D. D. THOMAS, Director, Bureau of Air Traffic Management.

[F.R. Doc. 60-4722; Filed, May 25, 1960; 8:45 a.m.]

[Airspace Docket No. 59-NY-63]

PART 600—DESIGNATION OF FEDERAL AIRWAYS

PART 601—DESIGNATION OF THE CONTINENTAL CONTROL AREA, CONTROL AREAS, CONTROL ZONES, REPORTING POINTS, AND POSITIVE CONTROL ROUTE SEG-

Revocation of Federal Airway, Associated Control Areas and Reporting **Points**

On March 5, 1960, a notice of proposed rule making was published in the FEDERAL REGISTER (25 F.R. 1961) stating that the Federal Aviation Agency proposed to revoke Blue Federal airway No. 58 in its entirety together with its associated control areas and designated reporting points.

No adverse comments were received regarding the proposed amendments.

Interested persons have been afforded an opportunity to participate in the making of the rules herein adopted, and due consideration has been given to all relevant matter presented.

The substance of the proposed amendments having been published, therefore, pursuant to the authority delegated to me by the Administrator (24 F.R. 4530) and for the reasons stated in the Notice. Parts 600 (24 F.R. 10487) and 601 (24 F.R. 10530) are amended as follows:

- 1. Section 600.658 Blue Federal airway No. 58 (Hyannis, Mass., to Squantum, Mass.). is revoked.
- 2. Section 601.658 Blue Federal airway No. 58 control areas (Hyannis, Mass., to Squantum, Mass.). is revoked.
- 3. Section 601.4658 Blue Federal airway No. 58 (Hyannis, Mass., to Squantum, Mass.). is revoked.

These amendments shall become effective 0001 e.s.t., July 28, 1960.

(Secs. 307(a), 313(a), 72 Stat. 749, 752; 49 Ù.S.C. 1348, 1354)

Issued in Washington, D.C., on May 19, 1960.

> D. D. THOMAS, Director, Bureau of Air Traffic Management.

8:45 a.m.]

[Airspace Docket No. 59-AN-7]

CONTINENTAL CONTROL AREA, CONTROL AREAS, CONTROL ZONES, REPORTING POINTS, AND POSITIVE CONTROL ROUTE SEG-

Modification of Control Zone

On March 15, 1960, a Notice of Proprosed Rule Making was published in the FEDERAL REGISTER (25 F.R. 2139) stating that the Federal Aviation Agency proposed to modify the Anchorage, Alaska, control zone.

No adverse comments were received regarding the proposed amendment.

Interested persons have been afforded an opportunity to participate in the making of the rule herein adopted, and due consideration has been given to all relevant matter presented.

The substance of the proposed amendment having been published, therefore, pursuant to the authority delegated to me by the Administrator (24 F.R. 4530) and for the reasons stated in the Notice. § 601.2279 (24 F.R. 10584) is amended to read:

§ 601.2279 Anchorage, Alaska, control zone.

Within a 3-mile radius of the geographical center of Bryant Army Airport (latitude 61°16'02" N., longitude 149°39'46" W.), within a 5-mile radius of the geographical center of Elmendorf Air Force Base (latitude 61°15'05" N., longitude 149°48′52" W.), within 5 miles either side of a direct line from Elmendorf Air Force Base to and including a 5-mile radius of the geographical center of Anchorage International Airport (latitude 61°10'23" N., longitude 149°58'10" W.), within 2 miles either side of the SW course of the Anchorage RR extending from Anchorage International Airport 5-mile radius zone to a point 12 miles SW of the RR, within 2 miles either side of the Anchorage VOR 079° True radial extending from the Anchorage International Airport 5-mile radius zone to the VOR, and within 2 miles either side of the Anchorage International Airport ILS localizer W course extending from the 5-mile radius zone to the OM, excluding that portion which coincides with the Eagle River Restricted Area (R-348).

This amendment shall become effective 0001 e.s.t., July 28, 1960.

(Secs. 307(a), 313(a), 72 Stat. 749, 752; 49 U.S.C. 1348, 1354)

Issued in Washington, D.C., on May 19. 1960.

> D. D. THOMAS, Director, Bureau of Air Traffic Management.

8:45 a.m.]

[Airspace Docket No. 59-WA-371]

PART 601—DESIGNATION OF THE PART 601—DESIGNATION OF THE CONTINENTAL CONTROL AREA, CONTROL AREAS, CONTROL ZONES, REPORTING POINTS, AND POSITIVE CONTROL ROUTE SEG-

Modification of Control Zone

On March 5, 1960, a Notice of Proposed Rule Making was published in the FEDERAL REGISTER (25 F.R. 1965) stating that the Federal Aviation Agency proposed to modify the San Antonio (Randolph AFB), Texas, control zone by reducing the size of its southeast extension.

On April 2, 1960, a Modification of Proposal was published in the FEDERAL REGISTER (25 F.R. 2808) stating that the Federal Aviation Agency proposed to further reduce the size of the San Antonio (Randolph AFB) control zone by deleting that portion of the proposal to designate an extension within 2 miles either side of the 336° True bearing from the La Vernia, Tex., radio beacon, from the 5-mile radius zone to the La Vernia radio beacon. The period for submitten written data, views or arguments was extended to April 30, 1960.

No adverse comments were received regarding the proposed amendment.

Interested persons have been afforded an opportunity to participate in the making of the rule herein adopted, and due consideration has been given to all relevant matter presented.

The substance of the proposed amendment having been published, therefore, pursuant to the authority delegated to me by the Administrator (24 F.R. 4530) and for the reasons stated in the Notice and the Modification of Proposal, § 601.2287 (24 F.R. 10585) is amended to read:

§ 601.2287 San Antonio (Randolph AFB), Tex., control zone.

Within a 5-mile radius of the geographical center of Randolph Air Force Base (latitude 29°32'09" N., longitude 98°16'57" W.); within 2 miles either side of the La Vernia, Tex., VOR 338° True radial, extending from the 5-mile radius zone to the La Vernia VOR; and within 2 miles either side of the 329° True bearing from the Randolph RBN, extending from the 5-mile radius zone to the Randolph RBN.

This amendment shall become effective 0001 e.s.t., July 28, 1960.

(Secs. 307(a), 313(a), 72 Stat. 749, 752; 49 U.S.C. 1348, 1354)

Issued in Washington, D.C., on May 19, 1960.

> D. D. THOMAS, Director, Bureau of Air Traffic Management.

[F.R. Doc. 60-4725; Filed, May 25, 1960; [F.R. Doc. 60-4720; Filed, May 25, 1960; [F.R. Doc. 60-4723; Filed, May 25, 1960; 8:45 a.m.]

Title 21—FOOD AND DRUGS

Chapter I-Food and Drug Administration, Department of Health, Education, and Welfare

SUBCHAPTER C-DRUGS

PART 141a-PENICILLIN AND PENI-**CILLIN-CONTAINING DRUGS; TESTS** AND METHODS OF ASSAY

Miscellaneous Amendments

Correction

In F.R. Document 60-4555, appearing in the issue for Friday, May 20, 1960, at page 4452, make the following change: In § 141a.35(a) (1), the third sentence should read as follows: "Shake the tube for 1 minute and centrifuge to obtain a substantially clear buffer layer."

Title 30-MINERAL RESOURCES

Chapter I—Bureau of Mines, Department of the Interior

SUBCHAPTER D-ELECTRICAL EQUIPMENT, LAMPS, METHANE DETECTORS; TESTS FOR PERMISSIBILITY; FEES

[Bureau of Mines Schedule 16E]

PART 25-MULTIPLE-SHOT BLASTING UNITS

Procedures for Testing for **Permissibility**

On pages 1877-79 of the Federal Reg-ISTER of March 3, 1960, there was published a notice and text of proposed revision of the regulations of Subchapter D of Title 30, Code of Federal Regulations, prescribing procedures for testing for permissibility and approving Multiple-Shot Blasting Units.

Interested persons were given 30 days within which to submit written comments, suggestions, or objections concerning the proposed revision. Several suggestions to revise the text were received. To permit unlimited discussion of the suggested changes by those who submitted them, the Bureau of Mines called a meeting, which was held at the Central Experiment Station, Pittsburgh, Pa., on April 7, 1960. As a result of the discussion at the meeting and consideration of all relevant material presented pursuant to the notice, the following change in the proposed regulations is made:

Subparagraphs (1) and (2) of paragraph (f) of § 25.7 are eliminated and a new paragraph (f) is substituted therefor.

The proposed revision of the regulations with the above change is hereby adopted and is set forth below. Because of the safety features it is deemed in the public interest that this revision of the regulations shall be effective on the date of publication in the FEDERAL REGISTER.

MARLING J. ANKENY, Director, Bureau of Mines.

Approved: May 19, 1960.

No. 103-

ELMER F. BENNETT. Acting Secretary of the Interior.

Part 25, Chapter I of Title 30, Code of Federal Regulations, is revised to read as follows:

Subpart A-General Provisions

Sec. 25.1 Purpose. 25.2 Definitions. 25.3 Consultation. Fees for investigation. 25.4 25.5 Tests and investigations.

Specifications; all types of units. 25.7 Specifications; particular types of 25.8 units.

25.9 Conduct of investigations and demonstrations.

25.10 Certificate of approval.

Applications.

25.11 Approval plate. 25.12

25.6

Changes after approval. Withdrawal of approval.

Subpart B-Blasting Units Capable of Detonating 10 Short-Delay Electric Detonators

25.20 Definition.

25.21 Specifications.

Subpart C--Blasting Units Capable of Detonating 20 Short-Delay Electric Detonators

25.25 Definition.

25.26 Specifications.

AUTHORITY: §§ 25.1 to 25.26 issued under sec. 5, 36 Stat. 370, as amended, sec. 212, 66 Stat. 709; 30 U.S.C. 7, 482. Interpret or apply secs. 2, 3, 36 Stat. 370, as amended, secs. 201, 209, 66 Stat. 692, 703; 30 U.S.C. 8, 5, 471, 479.

Subpart A-General Provisions

§ 25.1 Purpose.

The regulations in this part set forth the specifications and requirements for multiple-shot blasting units to procure their approval and certification as permissible for use in coal mines; procedures for applying for such certification; and fees.

§ 25.2 Definitions.

As used in this part:

(a) "Permissible," as applied to a multiple-shot blasting unit, means that the unit conforms to the specifications and requirements of this part, and that a certificate of approval to that effect has been issued.

(b) "Certificate of approval" means a formal document issued by the Bureau stating that the unit has met the specifications and requirements in this part and authorizing the use and attachment of an official approval plate.

(c) "Blasting unit" means an apparatus for detonating high explosives by applying electric current to electric detonators.

(d) "Multiple-shot blasting means a blasting unit capable of detonating short-delay electric detonators, as further defined in § 25.20 or § 25.25.

(e) "Short-delay electric detonator" means a delay-type detonator (blasting cap) the delay periods of which range in nominal value from 25 to 500 milliseconds, and which will initiate (detonate) multiple charges of high explosives in succession with one application of the firing current.

(f) "Bureau" means the United States Bureau of Mines.

(g) "Applicant" means an individual, partnership, company, corporation, association, or other organization that designs, manufactures, or assembles, and that seeks a certificate of approval or

preliminary testing of a multiple-shot blasting unit.

\$ 25.3 Consultation.

By appointment, applicants or their representatives may visit the Bureau's Central Experiment Station, 4800 Forbes Avenue, Pittsburgh 13, Pennsylvania, to discuss with qualified Bureau representatives proposed designs of equipment to be submitted in accordance with the requirements of the regulations of this part. No charge is made for such consultation.

§ 25.4 Fees for investigation.

- (a) The fee for a complete investigation of a multiple-shot blasting unit is \$250.
- (b) The full fee must accompany an application for retesting a unit which has been previously tested and disapproved; but if less work is involved than for a complete investigation, the charge will be in proportion to the work done, and any surplus will be refunded to the applicant.
- (c) The fee for tests covering only part of a complete investigation, such as to assist an applicant in developing a unit, will be charged according to the work involved and will be in proportion to that charged for a complete investigation A fee for such tests shall be determined in advance by the Bureau and the applicant notified accordingly in writing.
- (d) Ordinarily a fee is not charged for an application covering an extension of approval that does not require test work. Each case, however, will be considered individually, and if a fee is required, the applicant will be notified accordingly, and the fee must be paid in advance before the investigation will be undertaken.

§ 25.5 Tests and investigations.

Unless the application states otherwise, it will be presumed that a complete investigation for certification is desired. However, the application may be expressly limited to some element or phase less than a complete investigation; and in any case if the tests at any stage indicate that the unit does not conform to the specifications in this part, the Bureau may treat the application as one for a partial investigation up to that point. Complete investigation for certification will not be undertaken unless the unit has been fully developed, is ready to be marketed, and is submitted completely assembled. The minimum material required for tests will be four complete units and such additional expendable parts as the Bureau may require.

§ 25.6 Applications.

(a) No investigation or testing will be undertaken by the Bureau except pursuant to a written application, in duplicate, accompanied by a check, bank draft, or money order, payable to the United States Bureau of Mines, to cover the fees, and all prescribed drawings, specifications, and related material. The application and all related matters and all correspondence concerning it shall be sent to the Central Experiment Station, Bureau of Mines, 4800 Forbes Avenue, Pittsburgh 13, Pennsylvania, Attention: Chief, Branch of Electrical-Mechanical Testing.

- (b) The unit to be tested may be shipped (charges prepaid) at the same time the application is submitted, or at the option of the applicant shipment of the unit may be deferred until the Bureau has notified the applicant that the application will be accepted.
- (c) Drawings and specifications shall be adequate in number and detail to identify fully the design of the unit and to disclose its materials, detailed dimensions of all parts, and wiring diagram. Drawings must be numbered and dated to insure accurate identification and reference to records, and must show the latest revision. Specifications must be given for materials, components, and subassemblies.

§ 25.7 Specifications; all types of units.

- (a) The Bureau will not test or investigate any unit that in its opinion is not constructed of suitable materials, that evidences faulty workmanship, or that is not designed upon sound engineering principles. In addition to any specifications or requirements imposed by the regulations in this part, the Bureau may impose such further specifications or requirements as in its opinion are necessary or proper to investigate or test the particular device submitted.
- (b) Any unit that satisfies all of the requirements of this part may be certified as permissible.
- (c) Adequacy of design and construction will be determined in connection with the following factors: Kind and durability of materials, test of active parts, resistance to moisture, drop test, insulation measurements, durability of construction, practicality in operation, suitability for underground service, and performance characteristics during the investigation.
- (d) The unit shall not ignite explosive gas-air mixtures or cause misfires or premature firing when operated according to the applicant's prescribed conditions of use, which shall be acceptable to the Bureau.
- (e) The firing operation must be accomplished by a removable key or other acceptable means to prevent accidental or premature firing.
- (f) A suitable means, incorporated as an integral part of the blasting unit, shall be provided to indicate, before each round of shots is fired, that the voltage applied to the firing line is adequate to meet the requirements as stated in paragraphs (h) and (i) of this section. An automatic means to prevent inadvertent or deliberate firing prior to the indication of readiness shall be incorporated in the unit.
- (g) The voltage must be cut off or be reduced within 15 milliseconds (0.015 second) after the firing contact is made to such a value that no incendive spark (an electric spark of sufficient intensity to ignite flammable methane-air mixtures) can result from accidental postfiring contact of wires in the firing circuit.
- (h) The average current produced by the unit shall be not less than 1.5

amperes, based on a 5-millisecond application to the bridgewire of the shortdelay electric detonators. The unit shall be so designed that discontinuities in the firing circuit of the unit shall not be possible during the specified firing time.

(i) The energy applied to the firing circuit of the blasting unit shall be as stated in § 25.21(a) or § 25.26(a).

(j) The difference of potential at the terminals of the blasting unit shall be as stated in § 25.21(b) or § 25.26(b).

(k) Terminals of the unit for connecting the firing (blasting) cable shall be well insulated, without exposed parts that can become "alive" when energized.

(1) The unit shall have a shunt resistance or other means acceptable to the Bureau to limit the voltage across the firing-line terminals, except during periods of charging and firing.

(m) The housing for the unit shall be sealed to prevent tampering with the contents and mechanically strong for mine service

(n) The unit shall meet electrical leakage and clearance tests. The voltage for testing shall be twice the maximum voltage employed in the shot-firing unit. These tests shall be made in an atmosphere of at least 80 percent relative humidity.

§ 25.8 Specifications; particular types of units.

- (a) Génerator type: The energy output shall not depend upon the physical effort of an operator of the blasting unit.
- (b) Generator or battery, condenser-discharge type:
- (1) Condensers must be capable of withstanding 25,000 charge and discharge cycles at the normal rate specified by the applicant.
- (2) An automatic means shall be provided to insure that no electrical charge will remain in the condenser(s) when the blasting unit is not in use.
- (3) Firing shall not occur automatically upon operation of a device provided for charging condensers but must be accomplished by a separate manual operation. The method of firing shall be designed to insure no significant loss of charge from condensers during the firing process by inadvertent or deliberate action prior to the closing of the firing switch or contact(s).
- (4) If battery-powered, the unit shall be so designed and constructed that the battery can be replaced without disturbing or damaging other electrical components.

§ 25.9 Conduct of investigations and demonstrations.

(a) Prior to the issuance of a certificate of approval, only Bureau personnel, representatives of the applicant, and such other persons as may be mutually agreed upon, may observe the investigations or tests. After the issuance of a certificate of approval, the Bureau may conduct such public demonstrations and tests of the approved unit as it deems appropriate. The conduct of all investigations, tests, and demonstrations shall be under the sole direction and control of the Bureau, and any other persons shall be present only as observers. The Bureau shall hold as confidential and

shall not disclose the results of chemical analyses of materials or the contents of the application and its accompanying drawings, specifications, and related materials.

§ 25.10 Certificate of approval.

- (a) Upon the completion of the investigation the Bureau shall issue to the applicant either a certificate of approval or a written notice of disapproval. If a certificate of approval is issued, no test data or detailed results of the test will accompany it. If the unit is disapproved, the notice of disapproval will be accompanied by details of the defects, with a view to possible correction. The Bureau will hold as confidential the results of tests of units that are disapproved.
- (b) Only formal written certificates of approval or notices of disapproval will be issued.
- (c) A certificate of approval will be accompanied by a list of the drawings and specifications covering the details of design and construction upon which the approval is based, and with the official approval number marked thereon. Applicants shall keep exact duplicates of the drawings and specifications that have been submitted to the Bureau and that relate to any unit which has received a certificate of approval, and these are to be adhered to exactly in production of the approved unit for commercial purposes.

§ 25.11 Approval plate.

(a) A certificate of approval will be accompanied by a photograph of a design for an approval plate, bearing the seal of the Bureau, the name of the applicant, the class of unit to which the approval relates, and spaces for the approval number, the type, and serial number. When necessary, an appropriate statement of the precautions to be observed in maintaining the unit in an approved condition shall be added.

(b) The applicant shall reproduce the design on a stainless steel plate with the lettering etched or indented thereon. The size, type, method of attaching, and location of approval plates are subject to the approval of the Bureau. The method of affixing the approval plate shall not impair any explosion-proof feature of the unit.

(c) The approval plate identifies the unit to which it is attached as permissible, and is the applicant's guarantee that the unit complies with the specifications and requirements in this part. Without an approval plate, no unit has the status of "permissible" under the provisions of this part.

(d) Use of the approval plate obligates the applicant to maintain the quality of each unit bearing it and guarantees that it is manufactured and assembled according to the drawings and specifications upon which a certificate of approval is based. Use of the approval plate is not authorized except on units that conform strictly with the drawings and specifications upon which the certificate of approval is based.

§ 25.12 Changes after approval.

If an applicant desires to change any feature of an approved unit and still

have it covered by an existing certificate of approval, he shall first obtain the Bureau's approval of the change, pursuant to the following procedures:

(a) Application shall be made, as for an original certification, requesting that the existing certificate of approval be extended to cover the proposed change. The application shall be accompanied by drawings and specifications and related material as in the case of an origi-

nal application.

(b) The application will be examined by the Bureau to determine whether inspection and testing of the modified unit or any part thereof will be required. Generally, inspection and testing will be necessary if there is a possibility that the modification may affect adversely the performance of the unit. The Bureau will inform the applicant whether such inspection and testing is required, the parts or materials to be submitted for that purpose, and the fee required.

(c) If the proposed modification meets the requirements and specifications of this part, a formal "extension of approval" will be issued accompanied by a list of new and corrected drawings and specifications to be added to those already on file as the basis for the certificate of approval.

§ 25.13 Withdrawal of approval.

The Bureau reserves the right to rescind, for cause, at any time, any approval granted under this part.

Subpart B—Blasting Units Capable of Detonating 10 Short-Delay Electric Detonators

§ 25.20 Definition.

As used in this subpart:

"Multiple-shot blasting unit" means that the unit is capable of consistently detonating not to exceed ten (10) short-delay electric detonators with a single application of electrical energy to the firing circuit, with the detonators connected in series, and with a total firing-circuit resistance of not less than 125 ohms.

§ 25.21 Specifications.

- (a) The electrical energy applied to the firing circuit by the multiple-shot blasting unit shall be not less than 1.4 watt-seconds when the unit is operated according to the applicant's prescribed conditions of use, which shall be acceptable to the Bureau.
- (b) The difference of potential at the terminals of the multiple-shot blasting unit shall not exceed 375 volts.

Subpart C—Blasting Units Capable of Detonating 20 Short-Delay Electric Detonators

§ 25.25 Definition.

As used in this subpart:

"Multiple-shot blasting unit" means that the unit is capable of consistently detonating not to exceed twenty (20) short-delay electric detonators with a single application of electrical energy to the firing circuit, with the detonators connected in series, and with a total firing-circuit resistance of not less than 150 ohms.

§ 25.26 Specifications.

(a) The electrical energy applied to the firing circuit by the multiple-shot blasting unit shall be not less than 1.7 watt-seconds when the unit is operated according to the applicant's prescribed conditions of use, which shall be acceptable to the Bureau.

(b) The difference of potential at the terminals of the multiple-shot blasting unit shall not exceed 400 volts.

[F.R. Doc. 60-4742; Filed, May 25, 1960; 8:47 a.m.]

Title 33—NAVIGATION AND NAVIGABLE WATERS

Chapter IV—Saint Lawrence Seaway
Development Corporation

PART 401—SEAWAY REGULATIONS AND RULES

Fenders

Pursuant to the authority of Public Law 358, 83d Congress, approved May 13, 1954, as amended (68 Stat. 92–96, 33 U.S.C. 981–990), and in coordination with The St. Lawrence Seaway Authority of Canada; § 401.103–13 of Subpart B of the St. Lawrence Seaway Regulations and Rules, published in the Federal Register on Thursday, March 17, 1960 (25 F.R. 2206–2217) is hereby amended by substituting the word "material" for the word "materials" and by deleting the word "vertically" therein, so as to read as follows:

§ 401.103-13 Fenders.

If fenders are used, they shall either be permanently attached to the vessel or shall be made of such material as will remain afloat and shall be securely fastened to the vessel and suspended by means of a steel cable or a fibre rope and shall be managed so as to avoid damage to Authority installations. Automobile or other tires are not to be used as fenders.

SAINT LAWRENCE SEAWAY DE-VELOPMENT CORPORATION,

[SEAL] LEWIS G. CASTLE,

Administrator.

[F.R. Doc. 60-4745; Filed, May 25, 1960; 8:48 a.m.]

Title 49—TRANSPORTATION

Chapter I—Interstate Commerce

[Rev. S.O. 562, Amdt. 12]

PART 97—ROUTING OF TRAFFIC

Rerouting of Traffic; Appointment of Agent

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D.C., on the 17th day of May A.D. 1960.

Upon further consideration of the provisions of Revised Service Order No. 562

(14 F.R. 2697), as amended (15 F.R. 3105; 8651; 16 F.R. 4551; 17 F.R. 4675; 18 F.R. 3048; 19 F.R. 2966; 20 F.R. 3685; 21 F.R. 3650; 22 F.R. 3653; 23 F.R. 3641; 24 F.R. 4215), and good cause appearing therefor: *It is ordered*, That:

Section 97.562 Rerouting of traffic—Appointment of agent, of Revised Service Order No. 562 be, and it is hereby, further amended by substituting the following paragraphs (a) and (d) hereof for paragraphs (a) and (d) thereof:

- (a) Charles W. Taylor, Director, Bureau of Safety and Service, Interstate Commerce Commision, Washington 25, D.C., is hereby designated and appointed an Agent of the Interstate Commerce Commission and vested with authority to authorize diversion and rerouting of loaded and empty freight cars from and to any point in the United States whenever in his opinion an emergency exists whereby any railroad is unable to move traffic currently over its lines.
- (d) Expiration date: This section shall expire at 11:59 p.m., May 25, 1961, unless otherwise modified, changed, suspended, or annulled by order of this Commision. (Sec. 1, 12, 15, 24 Stat. 379, 383, 384, as amended; 49 U.S.C. 1, 12, 15. Interprets or applies sec. 1(10-17), 15(4), 40 Stat. 101, as amended, 54 Stat. 911; 49 U.S.C. 1(10-17), 15(4))

It is further ordered, That this amendment shall become effective at 11:59 p.m., May 25, 1960; that a copy of this order and direction be served upon the State railroad regulatory bodies of each State, upon all common carriers by railroad subject to the Interstate Commerce Act, and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D.C., and by filing it with the Director, Office of the Federal Register.

By the Commission, Division 3.

[SEAL]

HAROLD D. McCoy, Secretary.

[F.R. Doc. 60-4749; Filed, May 25, 1960; 8:48 a.m.]

Title 43—PUBLIC LANDS: INTERIOR

Subtitle A—Office of the Secretary of the Interior

PART 4—BOARD OF CONTRACT
APPEALS

Membership; Decisions

On pages 2106-7 of the FEDERAL REGISTER of March 12, 1960, there was published a notice and text of proposed amendments of §§ 4.2 and 4.14 of Title 43 of the Code of Federal Regulations. The purpose of the amendments is to

permit, with the consent of the appellant, the disposition of appeals by one member of the Board of Contract Appeals and to enable the Chairman to divide the Board into panels of two members.

Interested persons were given 30 days within which to submit written comments, suggestions or objections with respect to the proposed amendments. No comments, suggestions or objections have been received, and the proposed amendments are hereby adopted without change and are set forth below. These amendments shall become effective at the beginning of the 30th day following the date of this publication in the Federal Register.

ELMER F. BENNETT, Acting Secretary of the Interior. May 19, 1960. 1. Section 4.2 is amended to add a new paragraph, designated (b). As so amended § 4.2 reads as follows:

§ 4.2 Membership.

(a) The Board of Contract Appeals consists of three members, one of whom is the Assistant Solicitor, Claims and Contract Appeals, who serves as Chairman. There are alternate members designated who may serve in lieu of regular members. All members and alternates are named by the Secretary of the Interior. No member of the Board may consider an appeal if he shall have taken part, or have any interest, directly or indirectly, in the letting or administration of the contract in dispute.

(b) The Chairman of the Board may, in his discretion, designate himself or any other member of the Board to decide any appeal provided that the parties have consented in writing to the disposi-

tion of the appeal in this manner. The Chairman of the Board may also direct that any appeal may be decided by a panel of any two members of the Board but if they are unable to agree upon a decision, the case will be decided by the full Board. When an appeal is decided by all three members of the Board, the concurrence of two members shall be sufficient for a decision.

2. Section 4.14 is amended by deletion of the first sentence. As so amended § 4.14 reads as follows:

§ 4.14 Decisions.

A copy of the decision shall be furnished to both parties and shall be available for public inspection.

(R.S. 161, 5 U.S.C. 22)

[F.R. Doc. 60-4744; Filed, May 25, 1960; 8:48 a.m.]

Proposed Rule Making

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 51]

UNITED STATES STANDARDS FOR GRADES OF CANTALOUPS 1

Notice of Proposed Rule Making

Notice is hereby given that the United States Department of Agriculture is considering the revision of United States Standards for Cantaloups (§§ 51.475 to 51.485) pursuant to the authority contained in the Agricultural Marketing Act of 1946 (secs. 202–208, 60 Stat. 1087, as amended; 7 U.S.C. 1621–1627).

Proposed changes in the standards are designed to make them more applicable to present-day handling methods and patterns of distribution. Following are the more important changes proposed:

- (1) In the U.S. No. 1 grade the tolerances for defects would be reduced from 10 percent to 8 percent for total defects, from 5 percent to 4 percent for serious damage and from 1 percent to one-half of 1 percent for decay. These defects would apply only at shipping point. En route or at destination 12 percent would be permitted for total defects, 6 percent for serious damage and 2 percent for decay. Corresponding tolerances would be provided in other grades;
- (2) A requirement would be added to the U.S. No. 1 grade that cantaloups must contain a minimum of 9 percent soluble solids;
- (3) A provision would be added that cantaloups which meet the requirements of U.S. No. 1, have a fairly uniform appearance, contain at least 11 percent soluble solids, and have defects well within the tolerances, may be designated as U.S. No. 1 Top Quality;
- (4) A U.S. No. 2 grade would be provided; and,
- (5) The Application of Tolerances would be changed to permit any package to contain double the tolerance for defects and at least 2 defective specimens would be permitted in any package, provided the lot averages within the tolerance.

A number of changes in definitions and phraseology are also proposed in the interest of clarity.

All persons who desire to submit written data, views or arguments for consideration in connection with the proposed standards should file the same with the Chief, Fresh Products Standardization and Inspection Branch, Fruit and Vegetable Division, Agricultural Marketing Service, United States De-

partment of Agriculture, South Building, Washington 25, D.C., not later than November 30, 1960.

The proposed standards, as revised, are as follows:

GRADES

Sec. 51.475 U.S. No. 1. 51.476 U.S. Commercial. 51.477 U.S. No. 2.

UNCLASSIFIED

51.478 Unclassified.

APPLICATION OF TOLERANCES

51:479 Application of tolerances.

DEFINITIONS

51.480 One type. 51.481 Mature. Minimum soluble solids content. 51.482 51.483 51.484 Wilted. 51.485 Well formed. 51.486 Well netted. 51.487 Wet slip. 51.488 Sunscald. 51.489 Damage. 51.490 Serious damage. 51.491 Permanent defects. 51.492 Fairly well netted. 51.493 Condition defects. Fairly uniform in appearance.

AUTHORITY: §§ 51.475 to 51.494 issued under secs. 202-208, 60 Stat. 1087, as amended; 7 U.S.C. 1621-1627.

GRADES

§ 51.475 U.S. No. 1.

"U.S. No. 1" consists of cantaloups of one type which are mature and have a minimum soluble solids content of 9 percent but are not overripe or soft or wilted, which are well formed, well netted, and free from decay, wet slip and sunscald, and free from damage caused by liquid in the seed cavity, sunburn, hail, dirt, surface mold or other disease, aphis or other insects, scars, crecks, sunken areas, bruises, or mechanical or other means.

(a) Tolerances. In order to allow for variations incident to proper grading and handling the following tolerances, by count, shall be permitted, except that these tolerances shall not apply to the requirement relating to minimum soluble solids content:

(1) At shipping point. 8 percent for cantaloups in any lot which fail to meet the requirements of this grade: Provided, That included in this amount not more than 4 percent shall be allowed for defects causing serious damage, including in this latter amount not more than one-half of 1 percent for cantaloups which are affected by decay or mold.

- (2) En route or at destination. 12 percent for cantaloups in any lot which fail to meet the requirements of this grade: Provided, That included in this amount not more than the following percentages shall be allowed for defects listed:
- (i) 8 percent for cantaloups which fail to meet the requirements of this grade because of permanent defects; or,
- (ii) 6 percent for cantaloups which are seriously damaged, including therein not more than 4 percent for cantaloups which are seriously damaged by permanent defects and not more than 2 percent for cantaloups which are affected by decay. (See § 51.479.)
- (b) Cantaloups may be designated as U.S. No. 1 Top Quality when meeting all the requirements of the U.S. No. 1 grade and in addition having fairly uniform appearance and a minimum soluble solids content of 11 percent, unless a higher minimum percentage is specified: Provided, That the defects are well within the tolerances specified for U.S. No. 1 grade in paragraph (a) of this section, and that these tolerances shall not apply to the requirements relating to uniformity of appearance or minimum soluble solids content.
- (1) "Well within the tolerances" means that individual packages may have not more than the U.S. No. 1 tolerances specified for any lot, except that at least two defective specimens may be permitted in any package: *Provided*, That the average percentages of defects for the entire lot are not in excess of one-half of the U.S. No. 1 tolerances specified.

§ 51.476 U.S. Commercial.

"U.S. Commercial" consists of cantaloups which meet the requirements of U.S. No. 1 except that the cantaloups need be only fairly well netted and that there is no requirement relating to soluble solids content, and except for the increased tolerances for defects specified in sub-paragraph (a) of this section.

(a) Tolerances. In order to allow for variations incident to proper grading and handling the following tolerances, by count, shall be permitted:

(1) At shipping point. 16 percent for cantaloups in any lot which fail to meet the requirements of this grade: Provided, That not more than one-fourth of this amount, or 4 percent, shall be allowed for defects causing serious damage, including in this latter amount not more than one-half of 1 percent for cantaloups affected by decay or mold.

(2) En route or at destination. 24 percent for cantaloups in any lot which fail to meet the requirements of this grade: Provided, That included in this amount not more than the following percentages shall be allowed for the defects listed:

 (i) 16 percent for cantaloups which fail to meet the requirements of this grade because of permanent defects;

¹Packing of the product in conformity with the requirements of these standards shall not excuse failure to comply with the provisions of the Federal Food, Drug, and Cosmetic Act or with applicable State laws and regulations.

³ Shipping point, as used in these standards, means the point of origin of the shipment in the producing area or at port of loading for ship stores or overseas shipment, or, in the case of shipments from outside the continental United States, the port of entry into the United States.

(ii) 12 percent for cantaloups which fail to meet the requirements of this grade because of condition defects; or,

(iii) 8 percent for cantaloups which are seriously damaged, including therein not more than 4 percent for cantaloups which are seriously damaged by permanent defects and not more than 2 percent for cantaloups which are affected by decay. (See § 51.479.)

§ 51.477 U.S. No. 2.

"U.S. No. 2" consists of cantaloups of one type which are mature but not overripe or soft or wilted, which are fairly well formed and fairly well netted, which are free from decay, wet slip and sunscald, and free from serious damage caused by liquid in the seed cavity, sunburn, hail, dirt, surface mold or other disease, aphis or other insects, scars, cracks, sunken areas, bruises, or mechanical or other means. There is no requirement in this grade relating to soluble solids content.

(a) Tolerances. In order to allow for variations incident to proper grading and handling the following tolerances,

by count, shall be permitted:

(1) At shipping point. 8 percent for cantaloups in any lot which fail to meet the requirements of this grade including therein not more than one-half of 1 percent for cantaloups which are affected by decay or mold.

(2) En route or at destination. 12 percent for cantaloups in any lot which fail to meet the requirements of this grade: Provided, That included in this amount not more than the following percentages shall be allowed for the defects listed:

(i) 8 percent for cantaloups which fail to meet the requirements of this grade because of defects of a permanent nature; or.

(ii) 2 percent for cantaloups which are affected by decay. (See § 51.479.)

UNCLASSIFIED

§ 51.478 Unclassified.

"Unclassified" consists of cantaloups which have not been classified in accordance with any of the foregoing grades. The term "unclassified" is not a grade within the meaning of these standards but is provided as a designation to show that no grade has been applied to the lot.

Application of Tolerances

§ 51.479 Application of tolerances.

Except when defects are required to be well within the tolerances, the contents of individual packages are subject to the following limitation: *Provided*, That the averages for the entire lot are within the tolerances specified for the grade:

(a) A package may contain not more than double any specified tolerance except that at least two defective specimens may be permitted in any package.

DEFINITIONS .

§ 51.480 One type.

"One type" means that the cantaloups in any container are similar in color of flesh and are not decidedly dif-

ferent in shape, character of netting and prominence of ribbing.

§ 51.481 Mature.

"Mature" means that the cantaloup has reached the stage of maturity which will insure the proper completion of the normal ripening process.

§ 51.482 Minimum soluble solids content.

"Minimum soluble solids content" means the average soluble solids content of the juice of four cantaloups each of which is representative of a container selected as containing cantaloups with external indications of having the lowest soluble solids content in the lot. Soluble solids content shall be determined with an approved refractometer or Brix hydrometer.

§ 51.483 Soft.

"Soft" means that the cantaloup yields readily to slight pressure.

§ 51.484 Wilted.

"Wilted" means that the cantaloup lacks turgidity and is somewhat flabby, spongy and pliable under moderate pressure.

§ 51.485 Well formed.

"Well formed" means that the cantaloup has the normal shape characteristic of the variety.

§ 51.486 Well netted.

"Well netted" means that to an extent characteristic of the variety the cantaloup is well covered with fully developed, well raised netting most of which has practically no crease, and that any ground spot present does not materially detract from the appearance of the cantaloup because of the size or color of the spot, or poor development of absence of netting over the affected area.

§ 51.487 Wet slip.

"Wet slip" means a condition present at time of packing in which the stem scar is abnormally large, excessively wet and slippery, yields to slight pressure, and is frequently accompanied by fresh radial growth cracks at the edge of the stem scar.

§ 51.488 Sunscald.

"Sunscald" means discolored or bleached, sunken areas of the surface having tough epidermis with underlying flesh leathery and usually off-color.

§ 51.489 Damage.

"Damage" means any specific defect described in this section; or an equally objectionable variation of any one of these defects, any other defect, or any combination of defects, which materially detracts from the appearance, or the edible or shipping quality of the cantaloup. The following specific defects shall be considered as damage:

(a) Liquid in the seed cavity under the following circumstances:

(1) At shipping point when more than a slight amount of liquid is present in the seed cavity; or,

(2) En route or at destination when an objectionably large amount of liquid is present in the seed cavity, or

when the flesh of the cavity wall is mushy or noticeably discolored;

- (b) Sunburn when the color of the flesh is materially changed; when the rind is hard, tough, thin, or definitely flattened; when distinct flattening of the netting or dark yellow surface discoloration affects an aggregate area exceeding 20 percent of the surface of the cantaloup; or when brown, gray, purple or dark green surface discoloration detracts from the appearance of the cantaloup to a greater extent than the area of dark yellow discoloration permitted;
- (c) Hail when the injury is unhealed or deep:
- (d) Surface mold under the following circumstances:
- (1) At shipping point when any surface mold is visible; or,
- (2) En route or at destination when the color, character, or location of the mold materially detracts from the appearance or marketing quality of the cantaloup;
- (e) Aphis when aphis honeydew is more than slightly sticky, or when resulting discoloration more than slightly detracts from the appearance of the cantaloup;
- (f) Scars when healed, shallow, smooth and light colored and the aggregate area affected exceeds 5 percent of the surface of the cantaloup; or when deep, rough or dark colored and detracting from the appearance to a greater extent than the area of healed, shallow, smooth and light colored scars permitted. Smooth scarring at the blossom end and coalesced netting should not be considered in determining damage caused by scarring unless materially detracting from the appearance of the cantaloup;
- (g) Cracks when deep or not dry. Slight dry cracks at the ends or in the sutures of the cantaloup shall not be considered damage:
- (h) Bruises when the surface of the cantaloup is definitely flattened or indented, or when the underlying flesh is noticeably discolored; and.
- (1) Mechanical means when cuts, gouges or other skin breaks are unhealed or deep.

§ 51.490 Serious damage.

"Serious damage" means any specific defect described in this section; or an equally objectionable variation of any one of these defects, any other defect, or any combination of defects, which seriously detracts from the appearance, or the edible or shipping quality of the cantaloup. The following specific defects shall be considered as serious damage:

(a) Liquid in the seed cavity under the following circumstances:

(1) At shipping point when a large amount of liquid is present in the seed cavity or the flesh of the cavity wall is noticeably soft or discolored or when any fermentation is present; or.

(2) En route or at destination when there is any fermentation of the liquid in the seed cavity, or when the flesh of the cavity wall shows fermentation or is badly discolored;

(b) Sunburn when the flesh is seriously discolored, when causing cracking

of the rind, or when causing flattening F.R. 2196), notice is hereby given that of the rind which seriously detracts from the appearance of the cantaloup;

- (c) Hail when the injury is unhealed; (d) Surface mold under the following
- circumstances: (1) At shipping point when any sur-
- face mold is visible; or,
- (2) En route or at destination when the color, character, or location of the mold seriously detracts from the appearance or marketing quality of the cantaloup;
 - (e) Cracks when fresh and deep;
- (f) Bruises when the surface of the cantaloup is seriously flattened or indented or when a material portion of the underlying flesh is broken down;
- (g) Mechanical means when cuts, gouges or other deep skin breaks are fresh.

§ 51.491 Permanent defects.

"Permanent defects" means defects which are not subject to change during shipping or storage; including, but not limited to factors of shape, netting, scarring, sunscald, sunburn and injury caused by hail and insects, and mechanical injury which is so located as to indicate that it occurred prior to shipment.

§ 51.492 Fairly well netted.

"Fairly well netted" means that to an extent characteristic of the variety the cantaloup is fairly well covered with fairly good netting.

§ 51.493 Condition defects.

"Condition defects" means defects which may develop or change during shipment or storage; including, but not limited to decayed or soft melons and such factors as liquid in the seed cavity, surface mold, sunken areas, fresh cracks, and bruising which is so located as to indicate that it occurred after packing.

§ 51.494 Fairly uniform in appearance.

"Fairly uniform in appearance" means that not more than one-tenth of the packages in any lot contain cantaloups which vary sufficiently in shape, size, ground color, netting and pack arrangement to materially detract from the apbearance of the contents of the individual packages.

Dated: May 20, 1960.

ROY W. LENNARTSON. Deputy Administrator. Marketing Services.

[F.R. Doc. 60-4752; Filed, May 25, 1960; 8:49 a.m.]

FEDERAL AVIATION AGENCY

[14 CFR Part 507]

[Reg. Docket No. 405]

AIRWORTHINESS DIRECTIVES Hartzell Propellers

Pursuant to the authority delegated to [F.R. Doc. 60-4726; Filed, May 25, 1960; me by the Administrator (§ 405.27, 24

the Federal Aviation Agency has under consideration a proposal to amend Part 507 of the regulations of the Administrator to include an airworthiness directive requiring inspection and replacement of the guide collars on Hartzell propellers.

Interested persons may participate in the making of the proposed rule by submitting such written data, views or arguments as they may desire. Communications should be submitted in duplicate to the Docket Section of the Federal Aviation Agency, Room B-316, 1711 New York Avenue NW., Washington 25, D.C. All communications received on or before June 27, 1960, will be considered by the Administrator before taking action on the proposed rule. The proposals contained in this notice may be changed in light of comments received. All comments submitted will be available, in the Docket Section, for examination by interested persons when the prescribed date for return of comments has expired. This proposal will not be given further distribution as a draft release.

This amendment is proposed under the authority of sections 313(a), 601 and 603 of the Federal Aviation Act of 1958 (72 Stat. 752, 775, 776; 49 U.S.C. 1354(a), 1421, 1423).

In consideration of the foregoing, it is proposed to amend § 507.10(a), (14 CFR Part 507), by adding the following airworthiness directive:

HARTZELL PROPELLERS. Applies to all Hartzell propellers HC-82XF-1D, HC-82XF-1DB, HC-82XG-1D, HC-82XG-6DL, HC-82XL-1D, and HC-92ZK-8L; and to HC-82XK-1D Serial Numbers 100G through 846G; and to HC-92ZK-8D Serial Numbers 100L through 491L. These propellers may be used on such aircraft as Piper PA-24. Cessna 180 and 182, Meyers 200, Mooney Mark 20, and Lake (Colonial) C-2.

Compliance required as indicated.

Because of failure or cracking of several cast guide collars, P/N 834-4, -8, -9, the following shall be accomplished:

- (a) Within the next 25 hours of propeller operation and each 25 hours of operation thereafter, visually inspect for cracks, all guide collars not marked with a letter "P" or "F". This inspection can be accomplished by looking through the spinner blade cutouts without removing the spinner. Cracked collars must be replaced prior to further flight.
- (b) At the next propeller overhaul or by January 1, 1961, whichever occurs first, replace all unmarked guide collars with marked guide collars. Cast collars which are marked with the letter "P" have been physically tested and need not be inspected, as required in (a), or replaced. Forged collars bear the same part number as cast collars but are marked with the letter "F".

(Hartzell Service Bulletin No. 71 covers this same subject.)

Issued in Washington, D.C., on May 20,

B. PUTNAM. Acting Director, Bureau of Flight Standards.

8:45 a.m.]

[14 CFR Part 514]

[Reg. Docket No. 406]

TECHNICAL STANDARD ORDERS FOR AIRCRAFT MATERIALS PARTS, PROCESSES, AND APPLIANCES

Life Preservers

Pursuant to the authority delegated to me by the Administrator (§ 405.27, 24 F.R. 2196) notice is hereby given that the Federal Aviation Agency has under consideration a proposal to amend Part 514 of the Regulations of the Administrator by adopting a new Technical Standard Order.

This Technical Standard Order will amend § 514.23 (24 F.R. 10621) which establishes minimum performance standards for life preservers used on civil aircraft of the United States. Amendment 4b-11, Civil Air Regulations, Part 4b, effective August 24, 1959, deleted the requirement that life preservers shall be reversible and that such preservers contain obvious markings of instructions on their use. The basis for the deletion was that design features and instructions to insure correct donning would be covered in the Technical Standard Order. Accordingly, this proposal contains a new subparagraph (a) (2) reflecting the intent of Amendment 4b-11. Also, a quality control statement has been added to the proposal.

Interested persons may participate in the making of the proposed rule by submitting such written data, views or arguments as they may desire. Communications should be submitted in duplicate to the Docket Section of the Federal Aviation Agency, Room B-316, 1711 New York Avenue NW., Washington 25, D.C. All communications received on or before July 13, 1960, will be considered by the Administrator before taking action on the proposed rule. The proposals contained in this notice may be changed in light of the comments received. All comments submitted will be available, in the Docket Section, for examination by interested persons when the prescribed date for return of comments has expired. The proposal will not be given further publication as a draft release.

This amendment is proposed under the authority of sections 313(a) and 601 of the Federal Aviation Act of 1958 (72 Stat. 752, 775; 49 U.S.C. 1354(a), 1421).

In consideration of the foregoing it is proposed to amend Part 514 as follows:

By amending § 514.23 as follows:

§ 514.23 Life preservers—TSO-C13c.

(a) Applicability-(1) Minimum performance standards. Minimum performance standards are hereby established for life preservers which specifically are required to be approved for use on civil aircraft of the United States. New models of life preservers manufactured on or after the effective date of this section shall meet the standards set forth in ATA Specification No. 801, "Airline Life Jackets," dated July 1, 1958,1 with

¹Copies may be obtained from the Air Transport Association, 1000 Connecticut Avenue NW., Washington 6, D.C.

the exceptions listed in subparagraph (2) of this paragraph. Life preservers approved by the Administrator prior to the effective date of this section may continue to be manufactured under the provisions of their original approval.

(2) Exceptions. (i) Compliance with section 4.1.1 of ATA Specification No. 801 is optional. Life preservers may be non-reversible provided the design of the preservers is such so as to preclude the probability of improper donning.

(ii) In addition to the placarding instructions contained in section 4.2.2 of ATA Specification No. 801, the preserver shall also be marked with instructions which will describe the proper donning procedure.

(b) Marking. Each life preserver shall be marked in accordance with § 514.3 except that the weight specified in paragraph (c) of § 514.3 may be omitted, and the following additional information shall be shown:

(1) Date of manufacture of fabric (month and year):

(month and year);
(2) "Adult" or "child", as the case may be.

(c) Data requirements. One copy each of the manufacturer's operation and inflation instructions shall be furnished the Chief, Engineering and Manufacturing Division, Bureau of Flight Standards, Federal Aviation Agency, Washington 25, D.C., with the statement of conformance.

(d) Quality control. Each life preserver shall be produced under a quality control system, established by the manufacturer, which will assure that each life preserver is in conformity with the requirements of this standard and is in condition for use. This system shall be described in the records required by section 4.3.1 of ATA Specification No. 801. A representative of the Administrator shall be permitted to make such inspections and tests at the manufacturer's facility as may be necessary to determine compliance with the requirements of this standard.

Issued in Washington, D.C., on May 20, 1960.

B. PUTNAM,
Acting Director, Bureau of
Flight Standards.

[F.R. Doc. 60-4727; Filed, May 25, 1960; 8:46 a.m.]

[14 CFR Part 601]

[Airspace Docket No. 60-FW-1]

CONTROL ZONES

Change of Proposed Modification

In a notice of proposed rule making published as Airspace Docket No. 60-FW-1, in the Federal Register on March 24, 1960 (25 F.R. 2496), it was stated that the Federal Aviation Agency proposes to modify the Charlotte, N.C., control zone by revoking the south extension based on the Charlotte radio range and the Fort Mill fan marker, revoking that portion of the control zone extension south of the Fort Mill VOR (formerly Charlotte VOR) and extending the southwest control zone extension to a point 12 miles southwest of the

Douglas Airport ILS outer marker. Subsequent to publication of the notice, it has been decided to modify the Douglas Airport ILS outer marker compass locator ADF standard instrument approach procedure to eliminate the need for control zone extension southwest of the outer marker. Therefore, the original proposal is amended in that the Federal Aviation Agency is considering redesignating the control zone extension based on the Douglas ILS localizer as within 2 miles either side of the Douglas Airport ILS localizer southwest course extending from the 5-mile radius zone to the ILS outer marker.

If this action is taken, the Charlotte, N.C., control zone would be redesignated within a 5-mile radius of the Douglas Airport (Lat. 35°12′58′′ N., Long. 80°56′ 22′′ W.), Charlotte, N.C.; within 2 miles either side of the 005° True radial of the Fort Mill, N.C., VOR extending from the 5-mile radius zone to the VOR; and within 2 miles either side of the southwest course of the Douglas Airport ILS localizer extending from the 5-mile radius zone to the ILS outer marker.

In order to provide interested persons time to adequately evaluate this proposal, as modified herein, and an opportunity to submit additional written data, views or arguments, the closing date for filling such material shall be extended to June 15, 1960.

In view of the above and pursuant to the authority delegated to me by the Administrator (§ 409.13, 24 F.R. 3499), notice is hereby given that the time within which comments will be received for consideration on Airspace Docket No. 60-FW-1 is extended to June 15, 1960.

Sections 307(a) and 313(a) of the Federal Aviation Act of 1958 (72 Stat. 749, 752; 49 U.S.C. 1348, 1354).

Issued in Washington, D.C., on May 19.1960.

D. D. THOMAS, Director, Bureau of Air Traffic Management.

[F.R. Doc. 60-4728; Filed, May 25, 1960; 8:46 a.m.]

[14 CFR Part 601]

[Airspace Docket No. 60-FW-31]

CONTROL ZONE

Modification

Pursuant to the authority delegated to me by the Administrator (§ 409.13, 24 F.R. 3499), notice is hereby given that the Federal Aviation Agency is considering an amendment to § 601.2133 of the regulations of the Administrator, the substance of which is stated below.

The Birmingham, Ala., control zone is presently designated within a 5-mile radius of Birmingham Airport, within 2 miles either side of the north course of the Birmingham radio range extending from the radio range station to a point 10 miles north, and within 2 miles either side of the ILS southwest localizer course extending from the localizer to the ILS outer marker. The Federal Aviation Agency has under consideration the modification of this control zone by revoking the north extension based on

the north course of the Birmingham radio range. The instrument approach procedure based on the Birmingham radio range has been revised so as to eliminate the requirement for this control zone extension.

If this action is taken, the Birmingham, Ala., control zone would be designated within a 5-mile radius of the Birmingham Airport, latitude 33°33′57.8′N., longitude 86°45′04.9″W., and within two miles either side of the ILS localizer southwest course extending from the 5-mile radius zone to the ILS outer marker.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Air Traffic Management Field Division, Federal Aviation Agency, P.O. Box 1689, Fort Worth 1, Tex. All communications received within forty-five days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Management Field Division Chief, or the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Docket Section, Federal Aviation Agency, Room B-316, 1711 New York Avenue NW., Washington 25, D.C. An informal Docket will also be available for examination at the office of the Regional Air Traffic Management Field Division Chief.

This amendment is proposed under sections 307(a) and 313(a) of the Federal Aviation Act of 1958 (72 Stat. 749, 752; 49 U.S.C. 1348, 1354).

Issued in Washington, D.C., on May 19, 1960.

D. D. THOMAS, Director, Bureau of Air Traffic Management.

[F.R. Doc. 60-4730; Filed, May 25, 1960; 8:46 a.m.]

[14 CFR Part 601]

[Airspace Docket No. 60-FW-32]

CONTROL ZONE

Modification

Pursuant to the authority delegated to me by the Administrator (§ 409.13, 24 F.R. 3499), notice is hereby given that the Federal Aviation Agency is considering an amendment to § 601.2148 of the regulations of the Administrator, the substance of which is stated below.

The Jackson, Miss., control zone is presently designated within a 5-mile radius of the Hawkins Airport, Jackson,

Miss., within 2 miles either side of the north course of the Jackson radio range extending to the Flora fan marker, and within 2 miles either side of the 195° and 015° True radials of the Jackson VOR (now VORTAC) extending from the 5-mile radius zone to a point 10 miles northeast of the VOR. The Federal Aviation Agency is considering modifying this control zone by redesignating the north extension based on the Jackson radio range and the Flora fan marker, and reducing the northeast extension based on the Jackson VORTAC. The standard instrument approach procedure based on the Jackson radio range and the Flora fan marker has been revised and the fan marker decommissioned. Based upon this revised approach procedure, the control zone extension to the north of the Jackson radio range would be redesignated as within 2 miles either side of the Jackson radio range north course extending from the 5-mile radius zone to 12 miles north of the radio range. The standard instrument approach procedure based on the Jackson VORTAC is being revised so that the portion of control zone extension northeast of the Jackson VORTAC would no longer be required.

If this action is taken, the Jackson, Miss., control zone would be designated within a 5-mile radius of the Hawkins Airport, Jackson, Miss. (latitude 30°13′19.4′′ W.); within 2 miles either side of the north course of the Jackson radio range, extending from the 5-mile radius zone to 12 miles north of the radio range; and within 2 miles either side of the 195° True radial of the Jackson VORTAC, extending from the 5-mile radius zone to the VORTAC.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Air Traffic Management Field Division, Federal Aviation Agency, P.O. Box 1689, Fort Worth 1, Tex. All communica-tions received within forty-five days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Management Field Division Chief, or the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Docket Section, Federal Aviation Agency, Room B-316, 1711 New York Avenue NW., Washington 25, D.C. An informal Docket will also be available for examination at the office of the Regional Air Traffic Management Field Division Chief.

This amendment is proposed under sections 307(a) and 313(a) of the Federal Aviation Act of 1958 (72 Stat. 749, 752; 49 U.S.C. 1348, 1354).

Issued in Washington, D.C., on May 19, 1960.

D. D. Thomas, Director, Bureau of Air Traffic Management.

[F.R. Doc. 60-4731; Filed, May 25, 1960; 8:46 a.m.]

[14 CFR Part 601]

[Airspace Docket No. 60-WA-65]

POSITIVE CONTROL AREAS Designation

Pursuant to the authority delegated to me by the Administrator (§ 409.13, 24 F.R. 3499), notice is hereby given that the Federal Aviation Agency is considering an amendment to Part 601 of the regulations of the Administrator, the substance of which is stated below.

In a notice of proposed rule making published in the FEDERAL REGISTER on May 7, 1960 (25 F.R. 4082), it was stated that the Federal Aviation Agency proposed the adoption of Special Civil Air Regulation No. SR424-C (Draft Release 60-9), to provide for the implementation of positive control of aircraft on an area basis. The Federal Aviation Agency has under consideration amending Part 601 of the regulations of the Administrator to provide for the designation of positive control areas. Positive control areas would be designated areas, within the continental control area, wherein positive separation to both en route and diversified local aircraft operations would be provided. This would be accomplished under the proposed Special Civil Air Regulation No. SR424-C, through the application of Air Traffic Management separation standards using FAA and Air Force long range radars.

In consideration of the foregoing, the Federal Aviation Agency proposes to amend the caption to Part 601 of the regulations of the Administrator, amend Subpart A and to add a new subpart (Subpart J, Positive Control Areas), to Part 601 (of the regulations of the Administrator) within which the positive control areas would be defined and designated. Positive control areas would be designated within the continental control area with vertical and lateral dimensions as specified by the Administrator.

Concurrently with this proposed amendment to Part 601, the Federal Aviation Agency is considering designating as positive control area that airspace within the continental control area from 24,000 feet MSL to Flight Level 600, adjacent to and east of the Wilmington, Ohio, Restricted Area (R-109) bounded by a line beginning at:

Latitude 39°30′00″ N., longitude 83°02′00″ W., thence to latitude 39°30′00″ N., longitude 82°00′00″ W., thence to latitude 38°48′30″ N., longitude 82°00′00″ W., thence to latitude 38°48′30″ N., longitude 83°02′00″ W., thence to point of beginning.

The designation of this area as a positive control area would provide protection for aircraft conducting flight test activities for the Wright Air Development Center, Dayton, Ohio, and permit optimum use of the area by other aircraft under the application of Air Traffic Management aircraft separation standards.

If these actions are taken, Part 601 of the regulations of the Administrator would be amended as follows:

I. Part 601 caption is amended to read as follows: Designation of the Continental Control Area, Control Areas, Control Zones, Reporting Points, Positive Control Route Segments and Positive Control Areas.

II. Subpart A-Introduction:

General:

A. Section 601.1 Basis and purpose is amended to read as follows:

§ 601.1 Basis and purpose.

The basis of this part is found in sections 307 and 313 of the Federal Aviation Act of 1958, as amended, and Part 60 of this title. The purpose of this part is to designate the continental control area, control areas, control zones, reporting points, positive control route segments and positive control areas in order to provide for the safety of aircraft operating in interstate, overseas, and foreign air commerce.

§ 601.2 [Amendment]

B. In § 601.2 Explanation of terms the following is added:

(gg) "Positive control area" shall mean the airspace, within the continental control area, as designated in Subpart J of this part, within which air traffic is controlled in accordance with the provisions of Special Civil Air Regulation No. SR424-C of Part 60 of this title.

(hh) "Flight level" shall mean a level of constant atmospheric pressure related to a reference datum of 29.92 inches of mercury, for example, flight level 250 is equivalent to an altimeter indication of 25,000 feet and flight level 265 to 26,500 feet, as defined in Part 60 (amendment 60–13) of this title.

III. Subpart J is added as follows:

Subpart J—Designated Positive Control Areas

§ 601.9001 Positive control areas.

Those areas with vertical and lateral dimensions designated by the Administrator within the continental control area wherein positive control of aircraft is exercised.

§ 601.9010 Positive control area (Wilmington, Ohio).

That airspace within the continental control area, from 24,000 feet MSL to flight level 600, adjacent to and east of the Wilmington, Ohio, Restricted Area (R-109) bounded by a line beginning at:

Latitude 39°30'00" N., longitude 83°02'00" W., thence to latitude 39°30'00" N., longitude 82°00'00" W., thence to latitude 38°48' 30" N., longitude 82°00'00" W., thence to latitude 38°48'30" N., longitude 83°02'00" W., thence to point of beginning.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C. All communications received within fortyfive days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Chief, Airspace Utilization Division. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Docket Section, Federal Aviation Agency, Room B-316, 1711 New York Avenue NW., Washington 25, D.C.

This amendment is proposed under \$\$ 307(a) and 313(a) of the Federal Aviation Act of 1958 (72 Stat. 749, 752; 49 U.S.C. 1348, 1354).

Issued in Washington, D.C., on May 19, 1960.

D. D. THOMAS. Director, Bureau of Air Traffic Management.

[F.R. Doc. 60-4729; Filed, May 25, 1960; 8:46 a.m.]

INTERSTATE COMMERCE **COMMISSION**

[49 CFR Part 122] RAILROAD REPORTS

Operating Statistics

MAY 16, 1960.

Notice is hereby given pursuant to section 4 of the Administrative Procedure Act, 5 U.S.C. 1003, that the Commission proposes to amend § 122.3 Operating statistics, to provide that, effective with reports for the year 1961, all Class I railroads, including Class I switching and terminal companies, subject to the provisions of Part I of the Interstate Commerce Act, be required to file quarterly reports in lieu of monthly reports, in accordance with quarterly report forms to be designated as follows:

Form OS-A-Freight Train Performance. Form OS-B-Passenger Train Performance. Form OS-C-Yard Service Performance.

Form OS-D-Revenue Traffic.

Form OS-E-Fuel and Power Statistics.
Form OS-F-Motive Power and Car Equipment.

(Class I switching and terminal companies will not be required to submit reports on Forms OS-A, OS-B and OS-D.)

(Sec. 12, 24 Stat. 383, as amended; 49 U.S.C. 12. Interpret or apply sec. 20, 24 Stat. 386, as amended; 49 U.S.C. 20)

The effect of the change will be to require, on a quarterly basis, data the

same as that now required on a monthly basis, by forms bearing designations the same as those specified above, under the present terms of § 122.3. No change is contemplated in matters to be reported, the number of copies to be filed, the place of filing, or the numbers of days following the close of the period covered by the reports in which the respective report forms must be filed.

Any party desiring to make representations in favor of or against the proposed changes may do so through submission of written data, views or arguments. The original and 5 copies of such representations must be filed with the Interstate Commerce Commission, Washington, D.C., within 45 days of the publication hereof in the FEDERAL REGISTER.

A copy of this notice shall be served upon all Class I railroads including switching and terminal companies subject to the provisions of part I of the Interstate Commerce Act, and upon every receiver, trustee, executor, administrator or assignee of any such railroad, and notice shall be given to the general public by depositing a copy thereof in the office of the Secretary of the Commission at Washington, D.C., and by filing a copy with the Director, Office of the Federal Register.

By the Commission, Division 2.

HAROLD D. McCoy. [SEAL] Secretary.

[F.R. Doc. 60-4750; Filed, May 25, 1960; 8:48 a.m.]

Notices

DEPARTMENT OF JUSTICE

Office of Alien Property **CHAN WA FU**

Notice of Intention To Return Vested Property

Pursuant to section 32(f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Property, and Location

Chan Wa Fu, Hongkong; \$226.20 in the Treasury of the United States. Claim No. 57131. Vesting Order No. 11122.

Executed at Washington, D.C., on May 20, 1960.

For the Attorney General.

[SEAL]

PAUL V. MYRON, Deputy Director Office of Alien Property.

[F.R. Doc. 60-4755; Filed, May 25, 1960; 8:49 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Document 220]

ARIZONA

Notice of Proposed Withdrawal and Reservation of Lands

The U.S. Forest Service has filed an application, Serial No. AR-025170, for the withdrawal of the lands described below from all forms of appropriation, including location and entry under the General Mining Laws. The applicant desires the lands for enlarging the Lynx Creek Recreation Area in the Prescott National Forest to be used by the public.

For a period of thirty (30) days from the date of publication of this notice. persons having cause may present their objections in writing to the undersigned official of the Bureau of Land Management, Department of Interior, P.O. Box 148, Phoenix, Arizona. If circumstances warrant it, a public hearing will be held at a convenient time and place which will be announced. The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

The lands involved in the application are:

GILA AND SALT RIVER MERIDIAN

T. 13 N., R. 1 W.,

Sec. 8: S1/2NW1/4NW1/4, SW1/4NW1/4, W1/2 sw¼,

Sec. 16: (W1/2SW1/4NW1/4, W1/2W1/2SW1/4)

Part of Lots 1 and 5, Sec. 17: E½NW¼, S½NE¼, SE¼, Sec. 20: N½NE¼, Sec. 21: W½NW¼NW¼.

The area described totals 620 acres, located in the Prescott National Forest.

Dated: May 20, 1960.

RAYMOND C. CLEGHORN. Acting State Supervisor.

[F.R. Doc. 60-4740; Filed, May 25, 1960; 8:47 a.m.]

[Serial No. Idaho 05080]

IDAHO

Notice of Termination of Proposed Withdrawal and Reservation of Lands

MAY 18, 1960.

Notice of an application Serial No. Idaho 05080, for withdrawal and reservation of lands was published as Federal Register Document No. 55-10237 on page 9868 of the issue for December 22, 1955. The applicant agency has cancelled its application insofar as it involved the lands described below. Therefore, pursuant to the regulations contained in 43 CFR, Part 295, such lands will be at 10:00 a.m. on May 31, 1960 relieved of the segregative effort of the above-mentioned application.

The lands involved in this notice of termination are:

BOISE MERIDIAN, IDAHO

T. 6 S., R. 5 E.

Sec. 5; S½SW¼, SW¼SE¼, Sec. 6; Lots 5, 6, E½SW¼, S½SE¼, Sec. 7; NW¼NE¼, NE¼NW¼,

Sec. 14; NW 1/4 NW 1/4.

Within the above-described lands are 490.47 acres of public lands.

> JOE T. FALLINI. State Supervisor.

[F.R. Doc. 60-4741; Filed, May 25, 1960; 8:47 a.m.]

Office of the Secretary

[Order 2508, Amdt. 40]

BUREAU OF INDIAN AFFAIRS Delegation of Authority

Section 30 of Order No. 2508, as amended (20 F.R. 3834, 5106; 21 F.R. 7027, 7655; 24 F.R. 272; 25 F.R. 436, 575, 729, 1385, 1994), is further amended by addition of a new subparagraph to read as follows:

SEC. 30. Authority under specific acts.
(a) * * *

(17) Section 1 and section 3 of the Act of June 22, 1936 (Pub. Law 742, 74th Congress, 1st Session; 49 Stat. 1803).

> ELMER F. BENNETT. Acting Secretary of the Interior.

May 19, 1960.

[F.R. Doc. 60-4743; Filed, May 25, 1960; 8:48 a.m.]

DEPARTMENT OF COMMERCE

Office of the Secretary

GEORGE W. FLANAGAN

Statement of Changes in Financial Interests

In accordance with the requirements of section 710(b)(6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken place in my finanical interests as reported in the FEDERAL REGISTER during the last six months.

A. Deletions: No change.

B. Additions: No change.

This statement is made as of May 6, 1960.

Dated: May 6, 1960.

GEORGE W. FLANAGAN.

[F.R. Doc. 60-4753; Filed, May 25, 1960; 8:49 a.m.]

JULIEN R. STEELMAN

Statement of Changes in Financial Interests

In accordance with the requirements of section 710(b)(6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests as reported in the FEDERAL REGISTER during the last six months.

A. Deletions: None.

B. Additions: None.

This statement is made as of May 14, 1960.

Dated: May 14, 1960.

JULIEN R. STEELMAN.

[F.R. Doc. 60-4754; Filed, May 25, 1960; 8:49 a.m.]

CIVIL AERONAUTICS BOARD

[Docket 7142, etc.]

CAPITAL AIRLINES, INC., ET AL.; **BUFFALO-TORONTO ROUTE CASE**

Notice of Hearing

In the matter of certain applications of Capital Airlines, Inc., and various other air carriers requesting new route authority to provide scheduled air transportation of persons, property, and mail, between Toronto, Canada and/or Buffalo, New York and one or more of the following principal points: Pittsburgh, Pa., Baltimore, Md./Washington, D.C., Jacksonville, St. Petersburg, Tampa, West Palm Beach, Fort Lauderdale and Miami, Florida.

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of NOTICES

1958, that a hearing in the above-entitled proceeding is assigned to be held on June 13, 1960, at 10:00 a.m., e.d.s.t., in Room 1027, Universal Building, Connecticut and Florida Avenues NW., Washington, D.C., before Examiner Leslie G. Donahue.

For further information regarding this proceeding, interested persons are referred to the application in Docket 7142: the orders of the Board issued in this proceeding; the various other applications consolidated with this proceeding and the Examiner's reports of prehearing conference, all of which are on file in the Docket Section of the Civil Aeronautics Board.

Dated at Washington, D.C., May 20, 1960.

[SEAL]

FRANCIS W. BROWN. Chief Examiner.

[F.R. Doc. 60-4762; Filed, May 25, 1960; 8:50 a.m.1

FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 13518-13521; FCC 60-573]

HUB CITY BROADCASTING CO., INC. (WHSY) ET AL.

Order Designating Applications for Consolidated Hearing on Stated

In re applications of Hub City Broadcasting Company, Inc. (WHSY), Hattiesburg, Mississippi, Docket No. 13518, File No. BP-12170; has: 1230 kc, 250 w, U, requests: 1230 kc, 250 w, 1 kw-LS, U, Veterans Broadcasting Company, a partnership composed of Max H. Jacobs, Douglas B. Hicks, Bailey Swenson, Leon Green and David H. Morris (KNUZ), Houston, Texas, Docket No. 13519, File No. BP-12179; has: 1230 kc, 250 w, U, requests: 1230 kc, 250 w, 1 kw-LS, U; Price Broadcasting Corporation, Inc., Fairhope, Alabama, Docket No. 13520, File No. BP-12654; requests: 1220 kc, 1 kw, DA, Day; Radio New Orleans, Inc. (WJBW), New Orleans, Louisiana, Docket No. 13521, File No. BP-12940; has: 1230 kc, 250 w, U, requests: 1230 kc, 250 w, 1 kw-LS, U; for construction permits.

At a session of the Federal Communications Commission held at its offices in Washington, D.C., on the 18th day of May 1960;

The Commission having under consideration the above-captioned and described applications;

It appearing that, on the basis of the information before us, each of the instant applicants is legally, technically, financially and otherwise qualified, except as may appear from the issues specified below, to construct and operate its proposal; and

It further appearing that, pursuant to section 309(b) of the Communications Act of 1934, as amended, the Commission, in a letter dated November 19, 1959, and incorporated herein by reference, notified the instant applicants, and any

other known parties in interest, of the grounds and reasons for the Commission's inability to make a finding that a grant of any one of the applications would serve the public interest, convenience, and necessity; and that a copy of the aforementioned letter is available for public inspection at the Commission's offices; and

It further appearing that the instant applicants filed timely replies to the aforementioned letter, which replies have not, however, entirely eliminated the grounds and reasons precluding a grant of the said applications and requiring an evidentiary hearing on the particular issues as hereinafter specified; and in which the applicants stated that they would appear at a hearing on the instant applications; and

It further appearing that, after consideration of the foregoing and the applicants' replies, the Commission is still unable to make the statutory finding that a grant of the applications would serve the public interest, convenience, and necessity; and is of the opinion that the applications must be designated for hearing in a consolidated proceeding on the issues specified below;

It is ordered, That, pursuant to section 309(b) of the Communications Act of 1934, as amended, the instant applications are designated for hearing in a consolidated proceeding, at a time and place to be specified in a subsequent Order, upon the following issues:

1. To determine the areas and populations which would receive primary service from Price Broadcasting Corporation, Inc., and the availability of other primary service to such areas and populations.

2. To determine the areas and populations which may be expected to gain or lose primary service from the proposed operations of WHSY, KNUZ and WJBW, and the availability of other primary service to such areas and populations.

3. To determine the nature and extent of the interference, if any, that each of the instant proposals would cause to and receive from each other and all other existing standard broadcast stations, the areas and populations affected thereby, and the availability of other primary service to the areas and populations affected by interference from any of the instant proposals.

4. To determine whether the instant proposal of Station WHSY would involve objectionable interference with Stations WJBW, New Orleans, Louisiana or WAZF, Yazoo City, Mississippi, or any other existing standard broadcast stations, and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other primary service to such areas and populations.

5. To determine whether the instant proposal of Station KNUZ would involve objectionable interference with Stations KLBS, Livingston, Texas; KEEE, Nacogdoches, Texas; KSIX, Corpus Christi, Texas; KWTX, Waco, Texas; KSLO, Opelousas, Louisiana; KPAC, Port Arthur, Texas; and WJBW, New Orleans, Louisiana, or any other existing standard

broadcast stations, and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other primary service to such

areas and populations.

6. To determine whether the instant proposal of Price Broadcasting Corporation, Inc. would involve objectionable interference with Station WJBW, New Orleans, Louisiana, or any other existing standard broadcast stations, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other primary service to such areas and populations.

7. To determine whether the instant proposal of Station WJBW would involve objectionable interference with Stations WLBI, Denham Springs, Louisiana; WNVY, Pensacola, Florida; KSLO, Opelousas, Louisiana; and WHSY, Hattiesburg. Mississippi, or any other existing standard broadcast stations, and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other primary service to such areas and populations.

8. To determine whether the interference received from any of the other proposals herein and any existing stations would affect more than ten percent of the population within the normally protected primary service area of any one of the instant proposals in contravention of § 3.28(c)(3) of the Commission rules and, if so, whether circumstances exist which would warrant a waiver of said Section.

9. To determine whether the transmitter site proposed by Station KNUZ is satisfactory with particular regard to any conditions that may exist in the vicinity of the antenna system which would distort the proposed antenna radiation pattern.

10. To determine, in the light of section 307(b) of the Communications Act of 1934, as amended, which of the instant proposals would best provide a fair, efficient, and equitable distribution of radio service.

11. To determine, in the light of the evidence adduced pursuant to the foregoing issues which, if any, of the instant

applications should be granted.

It is further ordered, That WAZF, Inc.; Polk County Broadcasting Service, Inc.; J. C. Stallings; Corpus Christi Broadcasting Co., Inc.; KWTX Broadcasting Co.; William E. Jones tr/as KSLO Broadcasting Company; Port Arthur College; Avoyelles Broadcasting Corporation: and Florida Radio and Broadcasting Company, licensees of Stations WAZF, KLBS, KEEE, KSIX, KWTX, KSLO, KPAC, WLBI, and WNVY, respectively, are made parties to the proceeding.

It is further ordered, That the Hub City Broadcasting Company, Inc. (WHSY), and Radio New Orleans, Inc. (WJBW) are made parties respondent with respect to their existing operations.

It is further ordered, That, in the event of a grant to Hub City Broadcasting Company, Inc. (WHSY), the permittee shall take appropriate steps to eliminate any adverse problems of interaction that may occur due to the proximity of the WHSY and WXXX transmitter sites.

It is further ordered, That, to avail themselves of the opportunity to be heard, the applicants and parties respondent herein, pursuant to § 1.140 of the Commission rules, in person or by attorney, shall, within 20 days of the mailing of this order, file with the Commission, in triplicate, a written appearance stating an intention to appear on the date fixed for the hearing and present evidence on the issues specified in this order.

It is further ordered, That, the issues in the above-captioned proceeding may be enlarged by the Examiner, on his own motion or on petition properly filed by a party to the proceeding, and upon sufficient allegations of fact in support thereof, by the addition of the following issue: To determine whether the funds available to the applicant will give reasonable assurance that the proposals set forth in the application will be effectuated.

Released: May 23, 1960.

· FEDERAL COMMUNICATIONS COMMISSION,

BEN F. WAPLE, [SEAL] Acting Secretary.

[F.R. Doc. 60-4757; Filed, May 25, 1960; 8:49 a.m.]

[Docket Nos. 12095, 12096; FCC 60M-878]

WAYNE M. NELSON AND FRED H. WHITLEY

Order Setting Prehearing Conference

In re applications of Wayne M. Nelson, Concord, North Carolina, Docket No. 12095, File No. BP-10936; Fred H. Whitley, Dallas, North Carolina, Docket No. 12096, File No. BP-10987; for construction permits.

It is ordered. This 20th day of May 1960, that all parties, or their counsel, in the above-entitled proceeding are directed to appear for a prehearing conference, pursuant to the provisions of § 1.111 of the Commission's rules, on June 2, 1960, at 10 a.m., in Washington, D.C., to discuss the procedure to be followed in the further hearing in the proceeding.

Released: May 23, 1960.

FEDERAL COMMUNICATIONS COMMISSION.

[SEAL] BEN F. WAPLE,

Acting Secretary.

[F.R. Doc. 60-4758; Filed, May 25, 1960; 8:49 a.m.]

[Docket Nos. 13515-13517; FCC 60-572]

PIONEER BROADCASTING CORP. (WOPI) ET AL.

Order Designating Applications for Consolidated Hearing on Stated Issues

In re applications of Pioneer Broadcasting Corp. (WOPI), Bristol, Tennessee, Docket No. 13515, File No. BP-12262; has: 1490 kc, 250 w, U, requests: 1490 kc, 250 w, 1 kw-LS, U; WSTP, Incorporated (WSTP), Salisbury, North Carolina, Docket No. 13516, File No. BP-12328;

has: 1490 kc, 250 w, U, requests: 1490 kc, 250 w, 1 kw-LS, U; Central Broadcasting Valdese, North Carolina, Company, Docket No. 13517, File No. BP-12650; requests: 1490 kc, 250 w, U; for construction permits.

At a session of the Federal Communications Commission held at its offices in Washington, D.C., on the 18th day of May 1960:

The Commission having under consideration the above-captioned and described applications;

It appearing that, except as indicated by the issues specified below, each of the instant applicants is legally, technically, financially, and otherwise qualified to construct and operate its instant proposal, and

It further appearing that, pursuant to section 309(b) of the Communications Act of 1934, as amended, the Commission, in a letter dated February 17, 1960, and incorporated herein by reference, notified the instant applicants, and any other known parties in interest, of the grounds and reasons for the Commission's inability to make a finding that a grant of any one of the applications would serve the public interest, convenience, and necessity; and that a copy of the aforementioned letter is available for public inspection at the Commission's offices; and

It further appearing that the instant applicants filed timely replies to the aforementioned letter, which replies have not, however, entirely eliminated the grounds and reasons precluding a grant of the said applications and requiring an evidentiary hearing on the particular issues hereinafter specified; and

It further appearing that, by Commission letter of February 17, 1960, Central Broadcasting Company was requested to submit an exhibit clearly showing the location of its 25 my/m contour with respect to the main business area of the city sought to be served; however, the applicant has failed to submit the requested exhibit; and

It further appearing that WSTP. Incorporated, and the Central Broadcasting Company have agreed to accept the mutual interference which would be caused by the simultaneous operation of their respective proposals; but that on the basis of the data on file it cannot be determined if the proposed operation of the Central Broadcasting Company would be in compliance with § 3.28(c)(3) of the Commission rules ("ten percent" rule) and therefore a hearing is necessary; and

It further appearing that after consideration of the foregoing, and the applicants' replies, the Commission is still unable to make the statutory finding that a grant of the applications would serve the public interest, convenience, and necessity; and is of the opinion that the applications must be designated for hearing in a consolidated proceeding on the issues specified below;

It is ordered, That, pursuant to section 309(b) of the Communications Act of 1934, as amended, the instant applications are designated for hearing in a consolidated proceeding, at a time and place to be specified in a subsequent Order, upon the following issues:

- 1. To determine the areas and populations which would receive primary service from Central Broadcasting Company and the availability of other primary service to such areas and populations.
- 2. To determine the areas and populations which may be expected to gain or lose primary service from the proposed operations of Stations WOPI and WSTP and the availability of other primary service to such areas and populations.
- 3. To determine the nature and extent of the interference, if any, that each of the instant proposals would cause to and receive from each other and all other existing standard broadcast stations, the areas and populations affected thereby, and the availability of other primary service to the areas and populations affected by interference from any of the instant proposals.
- 4. To determine whether the instant proposal of Station WOPI would involve objectionable interference with Station WLOH, Princeton, West Virginia, or any other existing standard broadcast stations, and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other primary service to such areas and populations.
- 5. To determine whether the instant proposal of Station WSTP would in-volve objectionable interference with Stations WWOK, Charlotte, North Carolina; WLOE, Leaksville, North Carolina; WSSB, Durham, North Carolina; and WGCD, Chester, South Carolina, or any other existing standard broadcast stations, and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other primary service to such areas and populations.
- 6. To determine whether interference received from the existing and proposed operations of Station WSTP and from the proposed operation of Station WOPI would affect more than ten percent of the population within the normally protected primary service area of the instant proposal of the Central Broadcasting Company, in contravention of § 3.28(c) (3) of the Commission rules, and, if so, whether circumstances exist which would warrant a waiver of said Section.
- 7. To determine whether the instant proposal of Central Broadcasting Company would provide the coverage of the city sought to be served, as required by § 3.188(b) (1) and (2) of the Commission rules.
- 8. To determine, in the light of section 307(b) of the Communications Act of 1934, as amended, which of the instant proposals would best provide a fair, efficient and equitable distribution of radio service.
- 9. To determine, in the light of the evidence adduced pursuant to the foregoing issues, whether a grant of the instant application would serve the public interest, convenience and necessity.

It is further ordered, That the following licensees of the stations indicated are made parties to the proceeding:

Mountain Broadcasting Co. (WLOH), Princeton, W. Va. Radio Charlotte, Inc. (WWOK), Charlotte,

WLOE, Inc. (WLOE), Leaksville, N.C. Public Information Corp. (WSSB), Durham,

The Dispatch Publishing Co. (WGOD), Chester. S.C.

It is further ordered. That, to avail themselves of the opportunity to be heard, each of the applicants and parties respondent herein, pursuant to § 1.140 of the Commission rules, in person or by attorney, shall, within 20 days of the mailing of this order, file with the Commission in triplicate, a written appearance stating an intention to appear on the date fixed for the hearing and present evidence on the issues specified in this order.

It is further ordered, That, the issues in the above-captioned proceeding may be enlarged by the Examiner, on his own motion or on petition properly filed by a party to the proceeding, and upon sufficient allegations of fact in support thereof, by the addition of the following issue: To determine whether the funds available to the applicant will give reasonable assurance that the proposals set forth in the application will be effectuated.

Released: May 23, 1960.

[SEAL]

FEDERAL COMMUNICATIONS COMMISSION, BEN F. WAPLE, Acting Secretary.

[F.R. Doc. 60-4759; Filed, May 25, 1960; 8:49 a.m.]

[Docket No. 13332; FCC 60-559]

SUBURBAN BROADCASTERS

Memorandum Opinion and Order Amending Issues

In re application of Patrick Henry. David D. Larsen, Steward B. Kett and James B. Glenn, Jr., d/b as Suburban Broadcasters, Elizabeth, New Jersey, Docket No. 13332, File No. BPH-2731; for construction permit.

1. The Commission has before it for consideration (1) a petition to enlarge issues filed January 21, 1960, by Metropolitan Broadcasting Corporation (Metropolitan), (2) a comment on the petition filed February 19, 1960, by the Broadcast Bureau, (3) an opposition to the petition filed February 23, 1960 by Suburban Broadcasters (Suburban).1 and (4) a reply filed March 3, 1960 by Metropolitan.

2. Suburban's application for a construction permit for an FM station at Elizabeth, New Jersey, was designated for hearing by Order released December 30. 1959 (FCC 59-1306). The first of the designated issues reads as follows: "To determine the area and population within the 1 mv/m contour of the proposed Elizabeth, New Jersey operation and the availability of other such FM broadcast service to the said area and population."

3. Metropolitan requests that Issue 1 should be amended in two respects: (a) to provide for a showing of the areas

and population to be served by the proposal; and (b) to provide for a showing as to all broadcast services (FM, AM and TV) to the area. All parties concede that the issue should be revised to require a showing as to area and population which will be served by the proposed operation, and Issue 1 will be amended accordingly. The request to modify the issue to provide for a showing as to all broadcast services to the area (AM, FM and TV) will, however, be denied. Each of these services is a separate and distinct class of broadcast service and the availability of one class of broadcast service to an area, we have held, is not a controlling factor in determining need for another class of broadcast service to the same area. See Tupelo Broadcasting Co., Inc., 12 RR 1233 (1956); Easton Publishing Company v. FCC, 175 F 2d 344, 4 RR 2147 (D.C.C.A. 1949). 4. Metropolitan also requests an issue

as to whether Suburban's program proposals were designed to and would be expected to serve the needs of the area to be served. In support of this request. Metropolitan states that the programming proposals set forth in Suburban's instant application in substance duplicate those in a previously granted application by two of Suburban's partners for an FM facility at Alameda, California, and those in an application by Suburban filed after the instant proposal for an FM facility at Berwyn, Illinois. Metropolitan maintains that the duplication indicates Suburban's programming was not designed for the Elizabeth area. Suburban contends, on the other hand, that its proposed programming is designed for the needs of Elizabeth and the fact that it may be similar to that proposed in the Alameda and Berwyn applications does not, Suburban maintains, provide a basis for a contrary inference. It is further argued by Suburban that because it will provide Elizabeth with its first FM facility, the well-balanced programming proposals in its application will satisfy Elizabeth's needs. Metropolitan's allegations raise a question as to whether Suburban's proposed programming was designed for the Elizabeth area and accordingly an issue will be added to determine this question. In this connection, see Radio Tifton, 11 RR 1167, 1169 (1955).

5. Metropolitan also requests the addition of a financial issue as to Suburban, alleging that the applicant has not supplied the detailed information called for by Section III of application Form 301 with reference to commitments by two of the partners to make available to Suburban \$20,000 to finance the construction and initial operation of the proposed station. The petitioner also contends that Suburban has underestimated certain necessary costs of its proposal such as antenna system and miscellaneous costs. Both Suburban and the Bureau oppose the request. The Commission is of the view that the request for a financial issue should be denied. Suburban's application indicates that two of its partners have agreed to supply an aggregate of \$20,000 for the proposal and their financial statements indicate they are able to fulfill their commitments. The application further shows that Suburban will need \$17,058 cash to construct and operate its proposed station for three months without benefit of revenue; thus, it appears that Suburban will have \$2,942 in excess of its estimated requirements. Metro-politan makes no showing that Suburban's estimates are inadequate.

Accordingly, it is ordered, This 18th day of May 1960, that the petition to enlarge issues, filed January 21, 1960, by Metropolitan Broadcasting Corporation is granted to the extent herein indicated and is in all other respects denied;

It is further ordered, That Issue 1 in the above-captioned proceeding is amended to read: "To determine the area and population within the 1 my/m contour of the proposed station, the area and population therein which would be served by the proposed station, and the availability of other FM service (at least 1 mv/m) to such proposed service area."

It is further ordered, That the issues in the above-captioned proceeding are amended to renumber Issue 4 as Issue 5 and to include the following as Issue 4: To determine whether the program proposals of Suburban Broadcasters are designed to and would be expected to serve the needs of the proposed service area."

Released: May 23, 1960.

FEDERAL COMMUNICATIONS COMMISSION, BEN F. WAPLE,

[SEAL] Acting Secretary.

[F.R. Doc. 60-4760; Filed, May 25, 1960; 8:50 a.m.]

[Docket No. 13325]

SUNBURY BROADCASTING CORP. (WKOK)

Order Scheduling Prehearing Conference

In re application of Sunbury Broadcasting Corporation (WKOK), Sunbury, Pennsylvania, Docket No. 13325, File No. BP-12008; for construction permit.

The Hearing Examiner having under consideration a "Motion for Resumption of Hearing", filed by Sunbury Broadcasting Corporation on May 9, 1960, requesting: (1) that a further prehearing conference be scheduled for the purpose of establishing procedural dates looking toward commencement of the hearing in the above-entitled proceeding; and (2) that said motion be accepted as the report required of the applicant with regard to the progress made in obtaining test transmitter data; and

It appearing that none of the other parties to this proceeding has interposed objection to the above-described motion within the time allowed by the Commission's rules for filing responsive pleadings thereto; and

It further appearing that good cause exists for granting the request in the subject motion in that (1) the proceedings herein were continued for the express purpose of affording the applicant an opportunity to obtain the test transmitter data; and (2) the progress made by applicant in that respect is adequately indicated in said motion.

¹ Time to respond to the petition was extended by Orders released February 4 and 17, 1960 (FCC 60M-241, FCC 60M-316).

Accordingly, it is ordered, This 20th day of May 1960 that the aforementioned motion of Sunbury Broadcasting Corporation is granted, and said motion is accepted as complying with the requirement that the applicant should submit a progress report.

It is further ordered, That a further prehearing conference in this proceeding is scheduled for Thursday, June 2, 1960, at 9:00 a.m., in the offices of the Commission, Washington, D.C. At such conference consideration will be given to fixing a schedule of procedural dates looking toward the commencement of the hearing and to any other pertinent matters that would be conducive to the expeditious conclusion of the hearing.

Released: May 23, 1960.

[SEAL]

FEDERAL COMMUNICATIONS COMMISSION, BEN F. WAPLE,

Acting Secretary.

[F.R. Doc. 60-4761; Filed, May 25, 1960; 8:50 a.m.]

FEDERAL POWER COMMISSION

[Docket No. G-3143 etc.]

ELMER R. LEWIS ET AL.

Notice of Severance

MAY 19, 1960.

Elmer R. Lewis, Docket No. G-3143, etc.: Northern Pump Company (Operator), et al., Docket No. G-3290; H. L. Hunt, Docket No. G-4321; J. P. Owen (Operator), et al., Docket No. G-9213; Nemours Corporation, Operator, Docket No. G-11399: The Ohio Oil Company, Operator, Docket No. G-13373; May Fair Minerals, Inc., Operator, Docket No. G-13672; The Atlantic Refining Company, Docket No. G-13673; Hunt Oil Company, Docket No. G-13682; Union Producing Company, Docket No. G-13684; Jefferson Lake Sulphur Company, Operator, Docket No. G-14307; Nelson Bunker Hunt Trust Estate, Docket No. G-14443; Lamar Hunt Trust Estate, Operator, Docket No. G-14444; Lamar Hunt Trust Estate, Operator, Docket No. G-14445; Lamar Hunt, Docket No. G-14446; Nelson Bunker Hunt Trust Estate, Docket No. G-14447; William Herbert Hunt Trust Estate, Docket No.G-14448; William Herbert Hunt Trust Estate, Docket No. G-14449; Placid Oil Company (Operator), et al., Docket No. G-14680; Hudgins Oil and Gas Company, Docket No. G-15000; Fred J. Oyesh (Operator), et al., Docket No. G-15465: Tex-Star Oil & Gas Corporation (Operator), et al., Docket No. G-16162; Texam Oil Corporation (Operator), et al., Docket No. G-16163; W. V. Hardin, Docket No. G-16170; Petroleum Inc. (Operator), et al., Docket No. G-16770; Humble Oil & Refining Company, Docket No. G-17570; Samedan Oil Corporation (Operator), et al., Docket No. G-17632; Sinclair Oil & Gas Company, Docket No. G-18679; R. L. Kirkwood, Docket No. G-18936; DDG Gas and Oil Corporation, Operator, Docket No. G-19171; Tidewater Oil

Company, Docket No. G-19174; General American Oil Company of Texas successor to Estate of Joe W. Brown, Docket No. G-19284; Trunkline Gas Company, Docket No. G-20048.

Notice is hereby given that the applications filed by the respective Applicants, as listed above, beginning with Northern Pump Company, Operator, et al., Docket No. G-3290 and ending with Trunkline Gas Company, Docket No. G-20048, heretofore scheduled for a hearing to be held on May 26, 1960, at 9:30 a.m., e.d.s.t., in the above-entitled consolidated proceedings are severed therefrom, for such disposition as may be appropriate.

JOSEPH H. GUTRIDE, Secretary.

[F.E. Doc. 60-4732; Filed, May 25, 1960; 8:46 a.m.]

[Docket No. E-6937]

MINNESOTA POWER & LIGHT CO.

Notice of Application

MAY 19, 1960.

Take notice that on May 12, 1960, an application was filed with the Federal Power Commission pursuant to section 203 of the Federal Power Act by Minnesota Power & Light Company ("Applicant") seeking an order authorizing the acquisition of 5,000 shares of Common Stock (\$100 par value) of Superior Water, Light and Power Company ("Superior"). Applicant, having its principal business office at Duluth, Minnesota, and incorporated under the laws of the State of Minnesota, is an operating electric utility principally engaged in the generation, purchase, transmission and distribution of electric energy in the State of Minnesota. Superior, a subsidiary of Applicant, with its principal business office at Superior, Wisconsin, is an operating electric utility principally engaged in the generation, purchase, transmission and distribution of electric energy in the State of Wisconsin. Applicant has an interchange agreement with Superior under which electric power is interchanged with that company. Applicant seeks to purchase 5,000 shares of Common Stock from Superior for an aggregate cash amount of \$500,000 computed on the basis of the \$100 par value of each such share of stock. Applicant states that the annual meeting of the stockholders on May 17, 1960, will increase the number of shares of Superior's Common Stock authorized to be outstanding from 25,000 to 30,000 shares with a par value of \$100 each. The proceeds to be received by Superior from the issuance and sale of its Common Stock as aforesaid to Applicant will be used to finance in part Superior's construction program for 1960.

Any person desiring to be heard or to make any protest with reference to said application should on or before the 9th day of June, 1960, file with the Federal Power Commission, Washington 25, D.C., petitions or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR

Company, Docket No. G-19174; General 1.8 or 1.10). The application is on file American Oil Company of Texas successand available for public inspection.

Joseph H. Gutride, Secretary.

[F.R. Doc. 60-4733; Filed, May 25, 1960; 8:46 a.m.]

[Docket No. G-15385 etc.]

OHIO OIL CO. ET AL. Notice of Postponement of Hearing

MAY 19, 1960.

The Ohio Oil Company, Operator, et al., Docket No. G-15385; Southwest Natural Production Company, Docket No. G-15460, G-19112; James R. Nowery and B. M. Nowery, Jr., Docket No. G-16190; Norman V. Kinsey, Jr., et al., Docket No. G-16278; L. L. Robinson, et al., Docket No. G-16457; Hunt Oil Company, Docket No. G-16737; Hassie Hunt Trust, Docket No. G-16763; Pan American Petroleum Corporation, Docket No. G-17028; Monsanto Chemical Company, Docket No. G-17519; The Atlantic Refining Company, Docket No. G-18572; T. L. James & Company, Inc., Docket No. G-19408; Jack W. Grigsby, Operator, et al., Docket No. G-19705; Robert F. Roberts, Docket No. G-19810.

Upon consideration of the motion filed May 12, 1960 by Counsel for The Atlantic Refining Company for postponement of the hearing now scheduled for June 13, 1960 in the above-designated matters:

The hearing now scheduled for June 13, 1960 is hereby postponed to June 21, 1960, at 10:00 a.m., e.d.t., in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D.C.

JOSEPH H. GUTRIDE, Secretary.

[F.R. Doc. 60-4735; Filed, May 25, 1960; 8:47 a.m.]

[Project No. 5]

MONTANA POWER CO.

Order Reopening Hearing

MAY 19, 1960.

By our order issued September 18, 1959, following a public hearing, we further amended The Montana Power Company's license for Project No. 5, known as the Kerr Project located on the Flathead Indian Reservation on the Flathead River, Montana, to authorize the construction and maintenance of certain additional facilities, and in our order we made a determination of the additional compensation which the Company must pay for its use of Flathead Indian lands in connection with the additional facilities in the amount of \$50,000 annually.

Thereafter, by letter dated March 9, 1960, the Acting Secretary of the Interior advised that "The additional rental payment of \$50,000 to the Confederated Tribes" by the Company resulting from the installation of third generating unit in its license for Project No. 5 had been reviewed by that Department, and that it was the opinion of that Department "that the most reason-

able method for determining the rental due the Confederated Tribes for the third unit is obtained by using only the method designated as Sharing the Net Benefits". "This method", stated the Acting Secretary "is commonly used in the electric power industry," and he concluded by saying:

We concur with the conclusions of the Federal Power Commission staff in regard to this method and believe that the amount of \$63,375 per annum should be allowed.

The payment annually of the \$63,375, with interest, is satisfactory to me and would meet the requirements of Public Law 100, 70th Congress (Act of March 7, 1928, 45 Stat. 200, 212). This amount also is in accord with the requirements of Tribal Resolution No. 1062, dated November 3, 1959, and satisfies the requirements of section 10(e) of the Federal Power Act, as amended.

On September 9, 1958, during a recess of the public hearing in this matter, the Company and the Confederated Tribes entered into an "Agreement of Settlement" which provided for a \$50,000 annual increase to the Confederated Tribes. contingent upon our issuance of a new 50-year license for the entire Kerr Project No. 5. The agreement was subject to the approval of the Secretary of the Interior "to the extent required by law." Attached to the agreement is a Resolution of the governing body of the Confederated Tribes, adopted on September 11, 1958, approving and confirming the agreement. We rejected the application for a new license pending our disposition of the Company's application for amendment of its license for Project No. 5 involved herein, but under the procedure fixed by this order, consideration may be given to placing these documents in evidence.

The Commission finds: In order to aid the Commission in making a final determination in this matter, it is necessary and appropriate that the proceeding be reopened as hereinafter provided.

The Commission orders:

(A) This proceeding is reopened for the purpose of affording an opportunity to the parties thereto, including Commission staff, to present such additional evidence as they may deem to be material and relative to the issues involved, and for the purpose of affording the Secretary of the Interior, or his representative, an opportunity to present evidence, documentary or otherwise relative to the recommendation contained in the Acting Secretary's letter of March 9, 1960.

(B) Pursuant to the authority contained in and subject to the jurisdiction conferred upon it by the Federal Power Act, particularly sections 6, 10(e) and 308 thereof, and the Commission's rules of practice and procedure, the reopened hearing shall be held on May 31, 1960, commencing at 10:00 a.m., e.d.s.t., at the Commission's hearing room, General Accounting Office Building, 441 G Street NW., Washington 25, D.C., for the purposes set forth in paragraph (A) above.

By the Commission.

JOSEPH H. GUTRIDE, Secretary.

[F.R. Doc. 60-4734; Filed, May 25, 1960; 8:46 a.m.]

[Docket Nos. RI60-292 etc.]

SOCONY MOBIL OIL COMPANY, INC., ET AL.

Order for Hearings on and Suspension of Proposed Changes in Rate; Correction

MAY 18, 1960.

In the order for hearings on and suspension of proposed changes in rate, issued April 29, 1960, change page No. "6" to page No. "7" and page No. "7" to page No. "6" and rearrange pages accordingly. In the order as it appears in the Federal Register (25 F.R. 3994; May 6, 1960) seven paragraphs, beginning with the paragraph that begins with "In support of the proposed favored-nation increased rates, Socony Mobil states" and ending with the paragraph that ends with "sales of natural gas." should be moved to a position immediately following the tabular material in the document.

JOSEPH H. GUTRIDE, Secretary.

[F.R. Doc. 60-4736; Filed, May 25, 1960; 8:47 a.m.]

[Docket No. G-11495 etc.]

SOUTHWESTERN OIL & REFINING CO. ET AL.

Notice of Application and Date of Hearing

MAY 20, 1960.

Southwestern Oil & Refining Company. Operator, et al., Docket No. G-11495; Neville G. Penrose, Inc., Operator, Docket No. G-11580; Gulf Oil Corporation, Docket No. G-11631; Gulf Oil Corporation, Operator, et al., Docket No. G-11633; Gulf Oil Corporation, Operator, et al., Docket No. G-11634; Gulf Oil Corporation, Docket No. G-11635; Gulf Oil Corporation, Operator, et al., Docket No. G-11636; Gulf Oil Corporation, Docket No. G-11637; Gulf Oil Corporation, Operator, et al., Docket No. G-11638; Gulf Oil Corporation, Operator, et al., Docket No. G-11639; A. W. Cook, Jr., Docket No. G-12856; The Trees Oil Company, Docket No. G-13111; Sinclair Oil & Gas Company, Docket No. G-13263; The Lincoln Converse Company, Docket No. G-13322; Sinclair Oil & Gas Company, Docket No. G-13805; E. G. Rodman, Operator, Docket No. G-14518; E. G. Rodman, Docket No. G-14519; John M. Kelly, Operator, Docket No. G-14583; Two States Oil Company, Operator, Docket No. G-14796; Western Oil Fields, Inc., Docket No. G-14797; Sun Oil Company (Gulf Cost Division), Docket No. G-14920; Socony Mobil Oil Company (formerly Magnolia Petroleum Company), Docket No. G-15061; Cosden Petroleum Corporation, Docket No. G-15094; Socony Mobil Oil Company (formerly Magnolia Petroleum Company), Docket No. G-15293; Southwest Gas Pro-Producing Company, Operator, et al., Docket No. G-16150; Argo Oil Corporation, Docket No. G-16151: Horizon Oil & Gas Company, Docket No. G-16153; Barnwell Production Company, Opera-

tor, Docket No. G-16363; Barnwell Production Company, Operator, Docket No. G-16452; Western Natural Gas Company, et al., Docket No. G-16760; Coastal States Gas Producing Company, Operator, et al., Docket No. G-16935; El Paso Natural Gas Products Company, Docket No. G-17206; Monsanto Chemical Company, Docket No. G-17260; South Fork Gas Company, Docket No. G-17261; Parsons Gas Company, Docket No. G-17262; Shell Oil Company, Docket No. G-17264; Reese E. Carter, Operator, et al., Docket No. G-17298; David W. Law, et al., Docket No. G-17300; Ambassador Oil Corporation, Docket No. G-17301; Sinclair Oil & Gas Company, Docket No. G-17308; Sinclair Oil & Gas Company, Docket No. G-17309: The Pure Oil Company, Docket No. G-17348; Bel-Air Oil Company, Operator, Docket No. G-17369; Texaco Inc., formerly The Texas Company, Docket No. G-17380:

The Bovaird Supply Company, Docket No. G-17384; Arkansas Fuel Corporation Operator, et al., Docket No. G-17403; Argo Oil Corporation, Docket No. G-17411; The Superior Oil Company, Docket No. G-17412; Francis A. Callery, Docket No. G-17416; Cities Service Oil Company, Docket No. G-17451; Kenneth Summers, et al., Docket No. G-17452; Gulf Oil Corporation, Docket No. G-17454; Union Oil Company of California, Docket No. G-17456; Skelly Oil Company, Docket No. G-17460; Graham-Michaelis Drilling Company, Docket No. G-17462; Hamilton Brothers, Ltd., Docket No. G-17464; C. C. Winn, Operator, Docket No. G-17465; Jones, Shelburne & Pellow Oil Company, Docket No. G-17466; Trice Production Company, Operator, et al., Docket No. G-17467; Petroleum Inc. Operator, et al., Docket No. G-17468; Kerins, Hickey and Marks, Docket No. G-17469; Rodney DeLange, Operator, et al., Docket No. G-17470: Midwest Oil Corporation, Operator, Docket No. G-17471; Humble Oil & Refining Company, Docket No. G-17472; Amerada Petroleum Corporation, Docket No. G-17473; Conley-Trueblood Lease, Docket No. G-17484; The Atlantic Refining Company, Docket No. G-17490; Phillips Petroleum Company, Operator, Docket No. G-17510; Pan American Petroleum Corporation, Docket No. G-17511; Summers Oil & Gas Co., Docket No. G-17549; Lawrence H. Griffith, et al., Docket No. G-17553; Inco 3, Inc., Docket No. G-17556; Skelly Oil Company, Operator, Docket No. G-17559; Vicon, Inc., Operator, Docket No. G-17561; Sun Oil Company, Docket No. G-17569; Continental Oil Company, Docket No. G-17795; National Cooperative Refinery Association, Docket No. G-17808: The Atlantic Refining Company, Docket No. G-17809; Hunt Oil Company, Docket No. G-17817; Texas Natural Petroleum Company Operator, et al., Docket No. G-17825; S. T. Constantine, Docket No. G-17833; Sinclair Oil & Gas Company, Operator, et al. Docket No. G-17836: Sun Oil Company, Docket No. G-17841; Graham-Michaelis Drilling Company, Operator, et al., Docket No. G-17851: Tatlock Oil Company, Docket No. G-17858; The Atlantic Refining Company, Docket No. G-17870: Champlin

Oil & Refining Company, Docket No. G-17886; Frank A. Schultz, Docket No. G-17889; Claud E. Aikman, Docket No. G-17901; Vesta Fuel Company, Well No. Docket No. G-17914:

Socony Mobil Oil Company, Inc. (formerly Magnolia Petroleum Company), Docket No. G-17955; Southwestern States Oil & Gas Company, Operator, et al., Docket No. G-18007; Lab Oil Company, Docket No. G-18009; Barron Kidd, Docket No. G-18027; Shell Oil Company, Docket No. G-18037; Union Gas Associates, Inc., Docket No. G-18052; Cline Gas Company, Docket No. G-18057; Phillips Petroleum Company, Docket No. G-18062; Robert L. Wharton, Docket No. G-18066; J. Wesley Chenoweth Oil & Gas Company, Docket No. G-18068; Lizzie Reynolds Oil & Gas Company, Docket No. G-18071; W. L. Heeter, et al., Docket No. G-18075; Caroline Hunt Sands and Lloyd B. Sands, Docket No. G-18084: Humble Oil & Refining Company, Docket No. G-18123; Delta Drilling Company, Operator, et al., Docket No. G-18135; Phillips Petroleum Company, Docket No. G-18219; Lario Oil & Gas Company, Docket No. G-18222; Kay Kimbell, Oil Properties, Operator, Docket No. G-18228; Kay Kimbell, Oil Properties, Operator, Docket No. G-18229; Socony Mobil Oil Company, Inc. (formerly Magnolia Petroleum Company), Docket No. G-18388; Carter-Jones Drilling Company, Inc., Operator, Docket No. G-18401; Slick Oil Corporation, Operator, Docket No. G-18537; Hamilton Brothers, Ltd., Docket No. G-18581: Oklahoma Natural Gas Company, Docket No. G-18586; B. L. Woolley, et al., Docket No. G-18587; Overfield Oil & Gas Company, Docket No. G-18591; Gabbert #1, Docket No. G-18592; Greenbrier Oil Company, Operator, et al., Docket No. G-18597; Humble Oil & Refining Company, Docket No. G-18605; J. G. Franks, et al., Docket No. G-18610; Hughes River Gas Company, Docket No. G-18613; Socony Mobil Oil Company, (formerly Magnolia Petroleum, Company), Docket No. G-18617; Wilcox Oil Company, Docket No. G-18620; J. M. Huber Corporation, Docket No. G-18621; Felmont Oil Corporation, Docket No. G-18627; Claud E. Aikman, Docket No. G-18635; H. L. Hunt, et al., Docket No. G-18648; James A. Rehler and Everett J. Carlson, Operator, Docket No. G-18651; Oil Development Company of Texas, Docket No. G-18653; Summit Oil & Gas Company, Docket No. G-18664; Monsanto Chemical Company, et al., Docket No. G-18666; J. A. Chap-man, Docket No. G-18706; R. P. Karll, Docket No. G-18707; Robert B. Prentice, et al., Docket No. G-18710;

Keating Drilling Company, Operator, et al., Docket No. G-18711; Bodcaw Company (formerly Nebo Oil Company, Inc.), Docket No. G-18781; BTA Oil Producers (formerly Beal, Trobaugh & Associates). Docket No. G-18782; BBM Drilling Company, Docket No. G-18785; John H. Hill, Operator, et al., Docket No. G-18797; Hanley Company, Operator, et al., Docket No. G-18812; Southwestern Exploration Consultants, Inc., Operator, et al., Docket No. G-18962: Shell Oil Company. Docket No. G-19044; Stekoll Petroleum Corporation, Docket No. G-19065; Ame-

rada Petroleum Company, Docket No. G-19098; G. E. Kadane & Sons, Docket No. G-19137; Murphy Corporation, Docket No. G-19139; Skelly Oil Company, Docket No. G-19141; Champlin Oil & Refining Company, Docket No. G-19172: Miami Petroleum Company, Inc., Docket No. G-19176; L. D. Crumly, Jr., Operator, et al., Docket No. G-19189; Jal Oil Company, Inc., Operator, et al., Docket No. G-19194; Huron Drilling Company, Inc., Docket No. G-19296; Earl F. Wakefield, Docket No. G-19303; Glenn F. Thomas, et al. d/b/a Thomas & Brewer (Operator), et al., Docket No. G-19306; Kerr-McGee Oil Industries, Inc., Docket No. G-19307; Humble Oil & Refining Company, Docket No. G-19315; Union Oil Company of California, Docket No. G-19333; Alex N. Campbell, Docket No. G-19360; Weston Drilling Company, Docket No. G-19380; Peel Tree Gas Company, Docket No. G-19381; Petroleum Exploration, Inc. of Texas, et al., Docket No. G-19386; Petroleum Exploration, Inc. of Texas, et al., Docket No. G-19387; T. L. James & Company, Inc., Docket No. G-19407; Devonian Gas & Oil Company, Docket No. G-19462; W. H. Busch, Docket No. G-19955; Monsanto Chemical Company, Docket No. G-19965; Baker Oil and Gas Company, Inc., Docket No. G-19972; Amerada Petroleum Corporation, Docket No. G-19388: George Longfellow, Docket No. G-19799; Tighe & Weatherly, et al., Docket No. G-20054; Big Chief Drilling Company, Docket No. G-20457; Tennessee Gas Transmission Company, Docket No. CP60-37; Standard Oil Company of California. Docket No. CI60-333.

Take notice that each of the above Applicants has filed an application for a certificate of public convenience and necessity, pursuant to section 7 of the Natural Gas Act, authorizing each to render service as hereinafter described, subject to the jurisdiction of the Commission, all as more fully represented in the respective applications and amendments and supplements thereto, which are on file with the Commission and open to public inspection.

The respective Applicants produce and propose to sell natural gas for transportation in interstate commerce for resale as indicated below:

Docket No.; Field and Location; and Purchaser

G-11495; Riverdale Field, Goliad County, Tex.; Texas Eastern Transmission Corp. G-11580; Eumont Field, Lea County, N. Mex.; Permian Basin Pipeline Co.

G-11631; Spraberry Trend Area, Glasscock County, Tex.; El Paso Natural Gas Co.

G-11633; Langlie-Mattix Field, Lea County, N. Mex.; El Paso Natural Gas Co.

G-11634; Dollarhide-Devonian and Dollar-hide-Drinkard Pools, Lea County, N. Mex.; El Paso Natural Gas Co.

G-11635; Dollarhide Field, Lea County, N. Mex.; El Paso Natural Gas Co.

G-11636; Dollarhide-Drinkard Pool, Lea County, N. Mex.; El Paso Natural Gas Co.

G-11637; Langlie-Mattix, Jalmat, Teague-McKee, Teague-Ellenburger, Fowler-Blinebry, Fowler-Drinkard, and Fowler-Ellenburger, and Fowler-Fusselman Field, Lea County, N. Mex.; El Paso Natural Gas Co. G-11638; Teague-McKee Field, Lea County,

N. Mex.; El Paso Natural Gas Co.

G-11639; Teague-McKee Field, Lea County, N. Mex.; El Paso Natural Gas Co.

G-12856; Appalachian Field, Clarion, Jefferson and Forest Counties, Pa.; North Penn Gas Company and Jefferson County Gas

G-13111; Hugoton Field, Stevens County, Kans.; Panhandle Eastern Pipe Line Co.

G-13263; Cooper-Jal, Langlie-Mattix and West Dollarhide Fields, Lea County, N. Mex.; El Paso Natural Gas Co.

G-13322; North Ruston and Unionville Fields, Lincoln Parish, La.; Mississippi River Fuel Corp

G-13805; Langlie-Mattix Field, Lea County, N. Mex.; El Paso Natural Gas Co.

G-14518; Drinkard and Jalmat Field, Lea County, N. Mex.; El Paso Natural Gas Co.

G-14519; Jalmat Field, Lea County, N. Mex.; El Paso Natural Gas Co. G-14583; Langlie-Mattix Field, Lea County,

N. Mex.; El Paso Natural Gas Co.

G-14796; Eumont and Langlie-Mattix Fields, Lea County, N. Mex.; El Paso Natural Gas Co.

G-14797; Tubb and Blinebry Pools, Lea County, N. Mex.; El Paso Natural Gas Co. G-14920; Jackson Pasture Field, Chambers

County, Tex.; Texas Gas Corp. G-15061; Jalmat Field, Lea County, N. Mex.; El Paso Natural Gas Co.

G-15094; Spraberry Trend Area, Reagan County, Tex.; El Paso Natural Gas Co.

G-15293; Panhandle Field, Moore County, Tex.; The Shamrock Oil and Gas Corp. G-16150; Jeanerette Field, St. Mary's Parish,

La.: Texas Gas Transmission Corp. G-16151: Jeanerette Field, St. Mary's Parish. La.; Texas Gas Transmission Corp.

G-16153; Share Perryton and Horizon Fields, Ochiltree and Hansford Counties, Tex.; Northern Natural Gas Co. G-16363; Blocker Field, Harrison County,

Tex.; Arkansas Louisiana Gas Co.

G-16452; Waskom Field, Harrison County, Tex.; Arkansas Louisiana Gas Co.

G-16760; Normanna and South Tuleta Fields, Bee County, Tex.; United Gas Pipe Line Co. G-16935; North Methis Area, San Patricio County, Tex.; Coastal States Producing Co.

G-17206; Acreage in San Juan County, N. Mex.; El Paso Natural Gas Co.

G-17260; Leverne Field, Beaver County, Okla.; Michigan Wisconsin Pipe Line Co. G-17261; Murphy District, Ritchie County,

W. Va.; Godfrey L. Cabot, Inc. G-17262; Union District, Ritchie County,

W. Va.; Hope Natural Gas Co. G-17264; Atchafalya Bay Field, Offshore, La.;

Tennessee Gas Transmission Co. G-17298; Maxie-Ellis Field, Acadia Parish,

La.; United Gas Pipe Line Co. G-17300; Murphy District, Ritchie County,

W. Va.; Hope Natural Gas Co. G-17301; Camrick Field, Texas County, Okla., Natural Gas Pipeline Co. of America.

G-17308; Hugoton Field, Finney County, Kans.; Northern Natural Gas Co.

G-17309; Tubbs and Blinebry Field, Lea County, N. Mex.; El Paso Natural Gas Co. G-17348; Velma-Springer Field, Stephens

County, Okla.; Lone Star Gas Co.

G-17369; Bijou Field, Morgan County, Colo.; Kansas-Nebraska Natural Gas Co., Inc.

G-17380; Bagley Field, Beauregard Parish, La.; Trunkline Gas Co.

G-17384; Embry Area, Edwards County, Kans.; Northern Natural Gas Co.

G-17403; Yeary Walsh Field, Kleberg County, Tex.; Texas Eastern Transmission Corp.

G-17411; Sunrise Field, Terrebonne Parish, La.; United Gas Pipe Line Co.

G-17412; Sunrise Field, Terrebonne Parish, La.; United Gas Pipe Line Co.

¹ Applicant received temporary authority, by letter dated April 15, 1960, to render the proposed service at a rate of 15 cents per Mcf at 15.025 p.s.i.a. in lieu of its proposed 18.5 cents. Temporary authority at the 15 cents rate, has been accepted by Applicant by letter received April 25, 1960.

- G-17416: East Gibson Field. Terrebonne Parish, La.; United Gas Pipe Line Co.
- G-17451; Harper Ranch Field, Clark County, Kans.; Northern Natural Gas Co.
- G-17452; Skin Creek District, Lewis County, W. Va.; Equitable Gas Co.
- G-17454; West Panhandle Field, County, Tex.; Phillips Petroleum Co. Grav G-17456; Tri-Channel Field, Nueces County,
- Texas; United Gas Pipe Line Co.
- G-17460; Ignacio-Blanco Field, La Plata County, Colo.; El Paso Natural Gas Co. G-17462; Camrick Southeast Field, Texas
- County, Okla.; Natural Gas Pipeline Co. of America.
- G-17464; Acreage in Harper County, Okla.; Cities Service Gas Co.
- G-17465; Morales Field, Jackson County, Texas; Trunkline Gas Company.
- G-17466; Eureka Field, Grant County, Okla.; Cities Service Gas Co.
- G-17467; Lake Hatch Field, Terrebonne Parish, La.; United Gas Pipe Line Co.
- G-17468; Houma Field, Terrebonne Parish, La.; United Gas Pipe Line Co.
- G-17469; Acreage in Clarion and Jefferson Counties, Pa.; United Natural Gas Co. G-17470; Cabeza Creek, South Field, Goliad
- County, Tex.; United Gas Pipe Line Co. G-17471; Ellis Field, Acadia Parish, La.; United Fuel Gas Co.
- G-17472; Cotton Valley Field, Webster Parish, La.; United Gas Pipe Line Co.
- G-17473; Jack Pot Field, Morgan and Weld Counties, Colo.; Kansas-Nebraska Natural Gas Co., Inc. –17484; Washington District, Calhoun
- G-17484; County, W. Va.; Hope Natural Gas Co. G-17490; Terryville Field, Lincoln Parish,
- La.; Texas Gas Transmission Corp.
- G-17510; N. Lovedale Oswego Field, Harper County, Okla.; Cities Service Gas Co. G-17511; Carthage Field, Harrison, Gregg and
- Rusk Counties, Tex.; Texas Eastern Transmission Corp.
- G-17549; Murphy District, Ritchie County, W. Va.; Hope Natural Gas Co.
- G-17553; East Spearman Field, Hansford County, Tex.; Northern Natural Gas Co. -17556; Buckhannon District, Upshur County, W. Va.; Hope Natural Gas Co. G-17556:
- G-17559; Acreage in Rio Arriba County, N. Mex.; El Paso Natural Gas Co.
- G-17561; Orchard and Bijou West Fields, Morgan County, Colo.; Kansas-Nebraska Natural Gas Co., Inc.
- G-17569; Mohler Area, Meade County, Kans.;
- Panhandle Eastern Pipe Line Co. G-17795; Geraldine Ford Field, Reeyes and Culberson Counties, Tex.; El Paso Natural Gas Co.
- G-17808; Acreage in Rio Arriba County, N. Mex.; El Paso Natural Gas Co.
 G-17809; Bisti Field, San Juan County, N.
- Mex.; El Paso Natural Gas Co.
- G-17817; Cotton Valley Field, Webster Parish La.; United Gas Pipe Line Co.
- G-17825; Grand Coulee Area, Acadia Parish, La.; Texas Gas Transmission Corp. G-17833; Noelke NE Queen Sand Field,
- Crockett County, Tex.; El Paso Natural Gas Co.
- G-17836; John Creek Field, Hutchinson County, Tex.; Northern Natural Gas Co.
- G-17841; Greenwood Field, Stanton County, Kans.; Colorado Interstate Gas Co.
- G-17851; Hugoton Field, Stanton County, Kans.; Colorado Interstate Gas Co.
- G-17858; Acreage in Pratt, Kiowa and Edwards Counties, Kans.; Panhandle Eastern Pipe Line Co.
- G-17870; North Mission Valley Field, De Witt and Victoria Counties, Tex.; Texas Eastern Transmission Corp.
- G-17886; Emperor Field, Winkler County, Tex.; West Texas Gathering Co.
- G-17889; Blanco Field, Rio Arriba County,
- N. Mex.; El Paso Natural Gas Co. G-17901; Noelke NE Queen Sand Field, Crockett County, Tex.; El Paso Natural Gas

- G-17914; Union District, Ritchie County, W. Va.; Hope Natural Gas Co. G-17955; East Lisbon Field, Claiborne Parish,
- La.; Texas Gas Transmission Corp.
- G-18007; Acreage in Noble County, Okla.; Cities Service Gas Co.
- G-18009; Orange Grove Field, Jim Wells County, Tex.; Orange Grove Gas Gathering
- G-18027; Noelke Field, Crockett County, Tex.; El Paso Natural Gas Co.
- G-18037; Kanok Field, Seward County, Kans., and Beaver County, Okla.; Panhandle Eastern Pipe Line Co.
- -18052; Acreage in Clay County, W. Va.; United Fuel Gas Co.
- G-18057; Clear Fork District, Wyoming County, W. Va.; Hope Natural Gas Co.
 G-18062; S. E. Antwine Field, Kay County,
- Okla.; Wunderlich Development Co.
- G-18066; Clay District, Monongalia County,
- W. Va.; South Penn Natural Gas Co.
 G-18068; Washington District, Calhoun
 County, W. Va.; Hope Natural Gas Co.
 G-18071; Lee District, Calhoun County, W.
- Va.; Hope Natural Gas Co.
- G-18075; Sherman District, Calhoun County, W. Va.; Hope Natural Gas Co.
- G-18084; Jalmat Field, Lea County, N. Mex.; El Paso Natural Gas Co.
- G-18123; West Panhandle Field, Moore County, Tex.; Colorado Interstate Gas Co. G-18135; West Mermentaw Field, Jefferson
- Davis Parish, La.; United Gas Pipe Line Co. G-18219; Abbott and Stewardson Townships, Potter County, Pa.; New York State Natural Gas Corp.
- G-18222; Whelan Field, Barber County, Kans.; Starkan Gas Co.
- G-18228; Dakota Pictured Cliffs Field, Rio Arriba County, N. Mex.; El Paso Natural Gas Co.
- G-18229; Dakota Pictured Cliffs Field, Rio Arriba County, N. Mex.; El Paso Natural
- Gas Co. G-18388; McKinney Field, Clark County, Kans.; Northern Natural Gas Co.
- G-18401; Huxley Field, Shelby County, Tex.; Texas Eastern Transmission Corp. G-18537; Pecos Valley Field, Pecos County,
- Tex.; El Paso Natural Gas Co.
- G-18581; Mocane Field, Beaver County, Okla.; Colorado Interstate Gas Co. G-18586; Morgan Field, Beaver County, Okla.;
- Panhandle Eastern Pipe Line Co.
- G-18587; Wise County Area, Wise County, Tex.; Natural Gas Pipeline Co. of America. G-18591; Union District, Ritchie County,
 W. Va.; Hope Natural Gas Co.
 G-18592; New Milton District, Doddridge
- County, W. Va.; Hope Natural Gas Co. G-18597; Acreage in Rio Arriba County, N. Mex.; El Paso Natural Gas Co.
- G-18605; E. Cheniere Perdue Field, Cameron Parish, La.; American-Louisiana Pipe Line Co.
- G-18610; Lee District, Calhoun County, W. Va.; Hope Natural Gas Co.
- G-18613; Union District, Ritchie County. W. Va.; Hope Natural Gas Co.
- G-18617; South Glenwood Field, Beaver County, Okla.; Northern Natural Gas Co. G-18620; Southeast Boyd Field, Beaver
- County, Okla.; Natural Gas Pipeline Co. of America.
- G-18621; McKinney Field, Meade County, Okla.; Northern Natural Gas Co. G-18627; Townships of Kingsville, Conneaut,
- and Monroe in Ashtabula County, Ohio; United Natural Gas Co.
- G-18635; Aztec Field, San Juan County. N. Mex.; El Paso Natural Gas Co.
- G-18648; South Alvin Field, Brazoria County, Tex.; Coastal Transmission Corp.
- G-18651; Cabeza Creek Field, Goliad County. Tex.; United Gas Pipe Line Co.
- G-18653; Hansford Field, Hansford County, Tex.; Panhandle Eastern Pipe Line Co. G-18664; Murphy District, Ritchie County,

W. Va.; Hope Natural Gas Co.

- G-18666; Acreage in San Juan County, N. Mex.; Southern Union Gathering Co.
- G-18706; Acreage in Grant County, Okla.; Consolidated Gas Utilities Corp.
- G-18707; Sherman Field, Grayson County, Tex.; Lone Star Gas Co.
- G-18710; Hollywood Field, Terrebo Parish, La.; United Gas Pipe Line Co. Terrebonne
- G-18711; North Hutchinson Field, Hutchinson County, Tex.; Northern Natural Gas Co
- G-18781; North Carterville Field, Webster and Bossier Parishes, La.; Texas Gas Transmission Corp.
- G-18782; Spraberry Trend Area, Reagan County, Tex.; El Paso Natural Gas Co.
- G-18785; Spraberry Trend Area, Midland County, Tex.; El Paso Natural Gas Co.
- G-18797; Acreage in Lea County, N. Mex.; El Paso Natural Gas Co.
- G-18812; South Lake Trammell Field, Nolan County, Tex.; West Lake Natural Gasoline
- G-18962; Acreage in Jefferson County, Okla.;
- Lone Star Gas Co. G-19044; Cote Blanche Island Field, St. Mary's Parish, La.; United Gas Pipe Line
- G-19065; Shore and Perryton Fields, Ochiltree and Hansford Counties, Tex.; Northern Natural Gas Co.
- G-19098; Hopewell Field, Pratt County, Kans.; Panhandle Eastern Line Co.
- G-19137; Wise Area, Jack County, Tex.; Natural Gas Pipeline Co. of America
- G-19139; Sligo Field, Bossier Parish, La.; Texas Gas Transmission Corp.
- G-19141; Acreage in Weld and Washington Counties, Colo.; Kansas-Nebraska Natural Gas Co., Inc.
- G-19172; Lerado Field, Reno and Kingman Counties, Kans.; Panhandle Eastern Line Co.
- G-19176; Buffalo Slough Field, Washington County, Colo,; Kansas-Nebraska Natural Gas Co., Inc.
- G-19189; Scarborough Field, Winkler County,
- Tex.; El Paso Natural Gas Co. G-19194; Langlie-Mattix and Seven Rivers Fields, Lea County, N. Mex.; El Paso Natural Gas Co.
- -19296; Sureyor Creek, Washington County, Colo.; Kansas-Nebraska Natural Gas Co., Inc.
- G-19303; Acreage in Cowley County, Kans.; Wunderlich Development Co. G-19306; Acreage in Meade County, Kans.;
- Panhandle Eastern Pipe Line Co.
- G-19307; Jeanerette Field, St. Mary's Parish, La.: United Gas Pipe Line Co.
- G-19315; North Lindrith Field, Rio Arriba County, N. Mex.; El Paso Natural Gas Co. G-19333; Deer Island Field, Terrebonne Parish, La.; United Gas Pipe Line Co.
- G-19360; San Juan Field, San Juan County, N. Mex.; El Paso Natural Gas Co.
- G-19380; Bolton Field, Hinds County, Miss.; United Gas Pipe Line Co.
- G-19381; Warren District, Upshur County,
 W. Va.; Hope Natural Gas Co.
 G-19386; Mocane Field, Beaver County, Okla.;
- Colorado Interstate Gas Co.
- G-19387; Mocane Field, Beaver County, Okla.; Colorado Interstate Gas Co. G-19407; Calhoun Field, Ouachita Parish,
- La.; Texas Gas Transmission Corp.
- G-19462; Fulcher Kutz Field, San Juan County, N. Mex.; El Paso Natural Gas Co. G-19955; Birch District, Braxton County, W. Va.; Equitable Gas Co.
- G-19965; Acreage in Roberts County, Tex.;
- Northern Natural Gas Co. G-19972; Washington District, Ca County, W. Va.; Equitable Gas Co. Calhoun
- G-19388; Bisti Field, San Juan County, N. Mex.; El Paso Natural Gas Co.
- G-19799; Washington District, Calhoun County, W. Va.; Equitable Gas Co. G-20054; Southwest Garwood Field, Lavaca
- and Colorado Counties, Tex.; Tennessee Gas Transmission Co.

G-20457; West Kutz Canyon (San Juan Dakota) Field, San Juan County, N. Mex.; El Paso Natural Gas Co.

CP60-37; Sugar Creek Field, Claiborne Parish, La.; Texas Gas Transmission Corp. CI60-333; Red Wash Field, Uintah County, Utah; El Paso Natural Gas Co.

The public convenience and necessity require that these matters be heard on a consolidated record and disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on June 30, 1960 at 9:30 a.m., e.d.s.t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D.C., concerning the matters involved in and the issues presented by such applications: Provided, however, That the Commission may, after a noncontested hearing, dispose of the proceedings pursuant to the provisions of § 1.30(c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission. Washington 25, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before June 13, 1960. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made: Provided, further, If a protest, petition to intervene or notice of intervention be timely filed in any of the above dockets. the above hearing date as to that docket will be vacated and a new date for hearing will be fixed as provided in § 1.20 (b) (2) of the rules of practice and procedure.

JOSEPH H. GUTRIDE, Secretary.

[F.R. Doc. 60-4737; Filed, May 25, 1960; 8:47 a.m.]

[Docket No. CP60-61]

TRUNKLINE GAS CO. Notice of Application

MAY 19, 1960.

Take notice that on March 14, as supplemented on April 8, 1960, Trunkline Gas Company (Applicant) filed in Docket No. CP60-61 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of a sales metering station near the mid-point on Applicant's existing transmission pipeline between Tuscola and South Bend. Indiana, to enable Applicant to deliver natural gas on a direct interruptible basis to the City of Rensselaer, Indiana, for use by the City in its municipal electric power plant, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

The estimated cost to Applicant of the proposed sales metering station is \$21,381, which will be financed from funds on hand. The City of Rensselaer will build the necessary pipeline from Applicant's projected metering station to the City's power plant.

It is estimated that the average annual deliveries by Applicant to said power plant will be 511,000 Mcf and that the maximum daily delivery will be 2,000 Mcf.

Protests or petitions to intervene in this proceeding may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before June 10, 1960.

JOSEPH H. GUTRIDE, Secretary.

[F.R. Doc. 60-4738; Filed, May 25, 1960; 8:47 a.m.]

[Docket No. G-20516]

UNITED FUEL GAS CO.

Notice of Application and Date of Hearing

MAY 20, 1960.

Take notice that on December 22, 1959, as supplemented on March 11 and April 25, 1960, United Fuel Gas Company (Applicant) filed in Docket No. G-20516 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of an additional 1,100 horsepower compressor unit at Applicant's Coco Compressor Station in Kanawha County, West Virginia, all as more fully set forth in the application and supplements which are on file with the Commission and open to public inspection.

The proposed unit is intended to bring the existing 4,400 horsepower capacity of the Coco Compressor Station up to 5,500 horsepower, enabling Applicant to increase its rate of injection of natural gas into storage to the point required to reach the storage inventory necessary to meet its future deliverability demands.

The estimated cost of construction of the proposed facilities is \$300,000, to be financed by Applicant's parent company, the Columbia Gas System.

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on June 21, 1960, at 9:30 a.m., e.d.s.t., in a Hearing Room of the Federal Power Commission; 441 G Street NW., Washington, D.C., concerning the matters involved in and the issues presented by such application: Provided, however, That the Commission may, after a noncontested hearing, dis-

pose of the proceedings pursuant to the provisions of § 1.30(c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the Rules of Practice and Procedure (18 CFR 1.8 or 1.10) on or before June 10, 1960. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

Joseph H. Gutride, Secretary.

[F.R. Doc. 60-4739; Filed, May 25, 1960; 8:47 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 24D-1882]

WONDER MOUNTAIN URANIUM, INC.

Order Temporarily Suspending Exemption, Statement of Reasons Therefor, and Notice of Opportunity for Hearing

MAY 16, 1960.

I. Wonder Mountain Uranium, Inc., a Colorado corporation, 414 Denver National Building, Denver 2, Colorado, filed with the Commission on August 12, 1955, a notification on Form 1-A and an offering circular relating to an offering of 2,380,000 shares of its 1 cent par value common stock at 10 cents per share for an aggregate of \$238,000, and filed various amendments thereto, for the purpose of obtaining an exemption from the registration requirements of the Securities Act of 1933, as amended, pursuant to the provisions of section 3(b) thereof, and Regulation A, promulgated thereunder.

II. The Commission has reasonable cause to believe that:

A. The terms and conditions of Regulation A have not been complied with in that Wonder Mountain Uranium, Inc. has failed to reflect in its filing, sales and resales of its securities required by the regulation to be set forth therein.

B. The notification and offering circular contain untrue statements of material facts and omit to state material facts necessary in order to make the statements made, in the light of the circumstances under which they are made, not misleading, particularly with respect to:

1. The failure to reflect the issuance of a substantial block of stock to the underwriter named.

2. The failure to reflect the fact that the underwriter named has withdrawn its registration as a broker-dealer with this Commission and is no longer in business at the address shown.

- 3. Conflicting statements as to the amount of securities theretofore sold and the cash received therefor.
- 4. The failure to disclose obligations to issue substantial amounts of stock.
- 5. The failure to set forth the current status of performance of assessment work on the company's unpatented mining claims.

6. The failure to reflect the fact that the officers and directors of the company have changed.

7. The fact that the transactions of acquisition by the company of its properties set forth in the offering circular are substantially at variance with the actual transactions of acquisition of such properties.

C. The offering, if made on the basis of the offering circular on file without appropriate disclosure in the foregoing matters, would be made in such manner as to operate as a fraud and deceit upon purchasers.

III. It is ordered, Pursuant to Rule 223(a) of the general rules and regulations under the Securities Act of 1933, as amended, that the exemption under Regulation A be, and it hereby is, temporarily suspended.

Notice is hereby given that any person having any interest in the matter may file with the Secretary of the Commission a written request for hearing; that within 20 days after receipt of such request the Commission will, or at any time upon its own motion may, set the matter down for hearing at a place to be designated by the Commission for the purpose of determining whether this order of suspension should be vacated or made permanent, without prejudice, however, to the consideration and presentation of additional matters at the hearing; and that notice of the time and place for said hearing will be promptly given by the Commission.

By the Commission.

[SEAL]

ORVAL L. DuBois, Secretary.

[F.R. Doc. 60-4756; Filed, May 25, 1960; 8:49 a.m.]

[File No. 1-4015]

CONSOLIDATED DEVELOPMENT CORP.

Order Summarily Suspending Trading

MAY 20, 1960.

The common stock, par value 20 cents per share of Consolidated Development Corporation (formerly known as Consolidated Cuban Petroleum Corporation), being listed and registered on the American Stock Exchange, a national securities exchange; and

The Commission being of the opinion that the public interest requires the summary suspension of trading in such security on such Exchange and that such action is necessary and appropriate for the protection of investors; and

The Commission being of the opinion further than such suspension is neces-

sary in order to prevent fraudulent, deceptive or manipulative acts or practices, with the result that it will be unlawful under section 15(c) (2) of the Securities Exchange Act of 1934 and the Commission's Rule 15c2-2 thereunder for any broker or dealer to make use of the mails or of any means or instrumentality of interstate commerce to effect any transaction in, or to induce or attempt to induce the purchase or sale of such security, otherwise than on a national securities exchange;

It is ordered, Pursuant to section 19 (a) (4) of the Securities Exchange Act of 1934 that trading in said security on the American Stock Exchange be summarily suspended in order to prevent fraudulent, deceptive or manipulative acts or practices, this order to be effective for a period of ten (10) days, May 22, 1960, to May 31, 1960, both dates inclusive.

By the Commission.

[SEAL]

ORVAL L. DuBois, Secretary.

[F.R. Doc. 60-4746; Filed, May 25, 1960; 8:48 a.m.]

TARIFF COMMISSION

CLINICAL THERMOMETERS

Report to the President

MAY 23, 1960.

The U.S. Tariff Commission today submitted to the President its first periodic report on the developments in the trade in clinical thermometers, finished or unfinished, since the "escape clause" action effective May 21, 1958, withdrawing the concession thereon granted in the General Agreement on Tariffs and Trade. This report was made pursuant to paragraph 1 of Executive Order 10401 of October 14, 1952. That order prescribes procedures for the periodic review of escape-clause actions. Such review is limited to the determination of whether a concession that has been modified or withdrawn can be restored in whole or in part without causing or threatening serious injury to the domestic industry concerned.

In submitting its first report to the President under Executive Order 10401 with respect to clinical thermometers, the Commission advised the President that conditions of competition between imported and domestic clinical thermometers had not so changed as to warrant the institution of a formal investigation under the provisions of paragraph 2 of Executive Order 10401. This means that, in the Commission's view, the developments in the trade in clinical thermometers do not warrant a formal inquiry into the question of whether a reduction in the duty on clinical thermometers could be made without causing or threatening serious injury to the domestic industry.

Copies of the Commission's report are available upon request as long as the

limited supply lasts. Requests should be addressed to the U.S. Tariff Commission, Eighth and E Streets NW., Washington 25, D.C.

By direction of the Commission.

[SEAL]

Donn N. Bent, Secretary.

[F.R. Doc. 60-4747; Filed, May 25, 1960; 8:48 a.m.]

INTERSTATE COMMERCE COMMISSION

[Notice 818]

MOTOR CARRIER TRANSFER PROCEEDINGS

MAY 23, 1960.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 179), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC 63073. By order of May 20, 1960, the Transfer Board approved the transfer to Jesse T. Benning, doing business as Benning Truck Line. Waumandee, Wis., of Certificate No. MC 7324, issued June 10, 1941, to Earl A. Benning, Waumandee, Wis., authorizing the transportation of: Livestock, agricultural commodities and wood, from points in the Towns of Waumandee, Montana, Lincoln, Glencoe, Buffalo, Cross, Belvidere, and Milton, Buffalo County, and the Town of Arcadia, Trempealeau County, Wis., to Winona, Minn., and points in Minnesota within 35 miles of Winona: and general commodities, excluding household goods, commodities in bulk, and other specified commodities, from Winona, Minn., and points in Minnesota within 35 miles of Winona, to points in the above-specified Wisconsin Towns. Belmont H. Schlosstein, Cochrane, Wis., for applicants.

No. MC-FC 63114. By order of May 20, 1960, the Transfer Board approved the transfer to Andrew Faiello, doing business as A. Faiello, Union, N.J., of Certificate No. MC 92964, issued July 11, 1950, to Andrew Faiello and Daniel School, doing business as J. & J. Trucking Company, Newark, N.J., authorizing the transportation of: Furs, between New York, N.Y., and Newark, N.J. Bernard F. Flynn, Jr., 1060 Broad Street, Newark 2, N.J., for applicants.

No. MC-FC 63169. By order of May 19, 1960, the Transfer Board approved

the transfer to Cecil O'Nan, doing business as Tri-State Express, Cincinnati, Ohio, of Certificate No. MC 14624, issued April 10, 1951, in the name of Henke's Express, Inc., Cincinnati, Ohio, authorizing the transportation of general commodities excluding household goods,

commodities in bulk and various specified commodities, over irregular routes, between points in Hamilton County, Ohio, and Boone County, Ky.; and between St. Bernard, Ohio, on the one hand, and, on the other, points in Dearborn County, Ind. Herbert Baker, 50 West Broad Street, Columbus, Ohio, for applicants.

[SEAL] HAROLD D. McCoy, Secretary.

[F.R. Doc. 60-4748; Filed, May 25, 1960; 8:48 a.m.]

CUMULATIVE CODIFICATION GUIDE—MAY

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